

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 19.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.29338 of 2014

T.R.Nagarajan

... Petitioner

-Vs-

1. The District Collector,
Krishnagiri District,
Krishnagiri.

2. The Revenue Divisional Officer,
Krishnagiri.

3. The Tahsildar,
Pochampalli,
Krishnagiri District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 29.10.2014 passed in Na.Ka.No.26843/2010/A3 on the file of the first respondent, quash the same and consequently direct the first respondent to provide an appointment to the petitioner on compassionate grounds with all attended benefits.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.R.Venkatesh
Government Advocate

W E B C O P Y
O R D E R

The petitioner has come up with the present writ petition for a Certiorarified Mandamus, calling for the records relating to the impugned order dated 29.10.2014 passed in Na.Ka.No.26843/2010/A3 on the file of the first respondent, quash the same and consequently direct the first respondent to provide an appointment to the petitioner on compassionate grounds with all attended benefits.

2.It is the case of the petitioner that his father was serving as Village Assistant, in Nagojana Alli Village, Pochampalli Taluk, Krishnagiri District, expired on 24.04.2010, while he was in service. Thereafter, the petitioner submitted an application dated 14.06.2010 to the first respondent, requesting him to grant an appointment under compassionate grounds and the said application was also recommended by the second respondent to the first respondent dated 04.08.2010. However, on 29.10.2014, the first respondent has rejected the petitioner's application for compassionate appointment.

3.I have heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4.The learned Government Advocate appearing for the respondents filed counter affidavit stating that the petitioner is aged about 43 years at the time of making representation for compassionate appointment. He further submitted that as per G.O.Ms.No.9, Labour and Employment Department (A1) dated 19.01.1998, the maximum age limit for appointment on compassionate grounds shall be 35 years. But in the instant case, the petitioner has crossed the age of 43 years. Therefore, his request cannot be considered.

5.Considering the facts and circumstances of the case, the petitioner has crossed the maximum age limit and he was 43 years at the time of making representation, the question of forwarding the representation of the petitioner to the Government does not arise in this case. Therefore, I do not find any merits in this petition and the same is liable to be dismissed. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sri

To

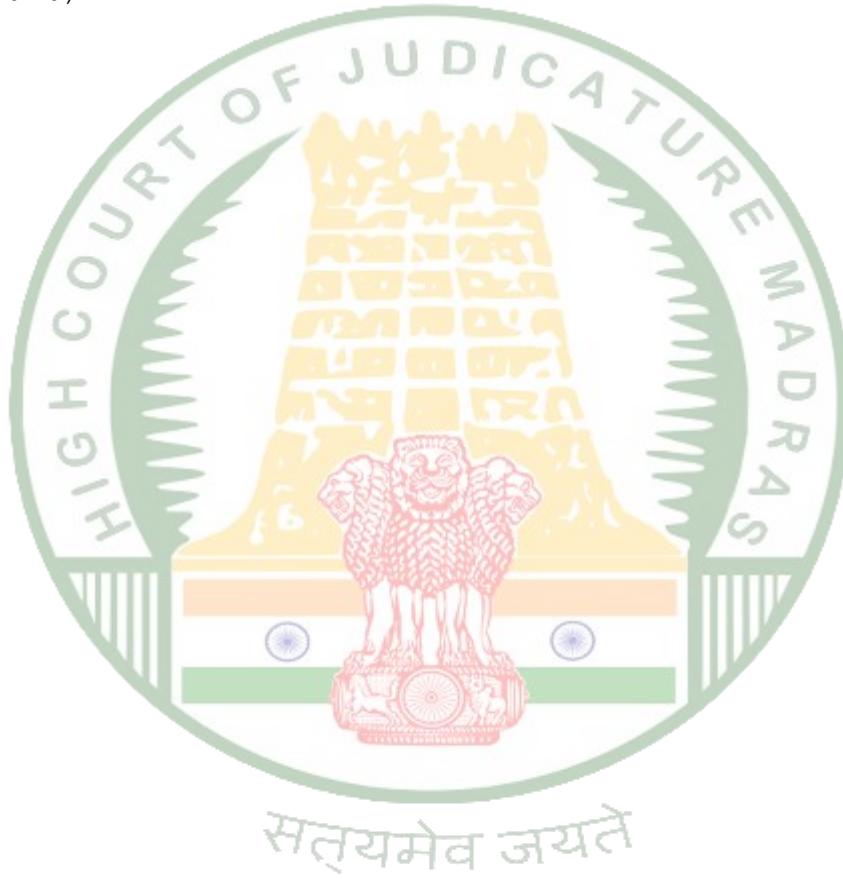
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GR(CO)
CA(24/11/2016)



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