

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.08.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.29226 of 2016

P.Yogeshkumar

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
School Education Department,
6th Floor, Namakkal Kavingar Maaligai,
St.George Fort, Secretariat,
Chennai - 600 009.

2.The District Educational Officer,
Coonoor, Nilgiri - 643 102.

3.The Headmaster,
Govt.Higher Secondary School,
Kannerimukku, Nilgiri - 643 102.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent pertaining to his order which is made in O.Mu.No.1016/A-1/2016, dated 02.03.2016 and quash the same, consequent to direct the respondents to appoint the petitioner on compassionate grounds to any of the vacant post on considering his educational qualification.

For Petitioner : Mr.R.Malaichamy

For Respondents : Mr.V.Anandhamoorthy
Additional Government Pleader

O R D E R

By consent, the Writ Petition is taken up and disposed of at the stage of admission itself.

2.This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent pertaining to his order which is made in

O.Mu.No.1016/A-1/2016, dated 02.03.2016 and quash the same, consequent to direct the respondents to appoint the petitioner on compassionate grounds to any of the vacant post on considering his educational qualification.

3.The petitioner's father served in the third respondent School as Tamil Pandit and died on 05.12.2003, while he was in service. Thereafter, the petitioner's mother submitted her representation to the third respondent for seeking appointment on compassionate ground. According to the petitioner, her mother is a sick person and hence, the petitioner made representation to the third respondent for appointment on compassionate ground but till date no orders have been passed and hence, the Writ Petition has been filed.

4.The petitioner seeks to challenge the rejection of compassionate appointment. The deceased person, who was a Government servant died on 05.12.2013 but the application was made to the concerned authority only on 04.02.2016 merely after 12 years definitely it is an inordinate delay. It is further seen that the petitioner's mother was a Government servant at the time of death of his father. Therefore, one member of the family already employed in Government the question of appointment on compassionate ground does not arise.

5.In such circumstances, I do not find any reason to interfere with the order passed by the second respondent and hence, this petition is deserves to be dismissed. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

sri

To

1.The Secretary to Government,
State of Tamil Nadu,
School Education Department,
6th Floor, Namakkal Kavingar Maaligai,
St.George Fort, Secretariat,
Chennai - 600 009.

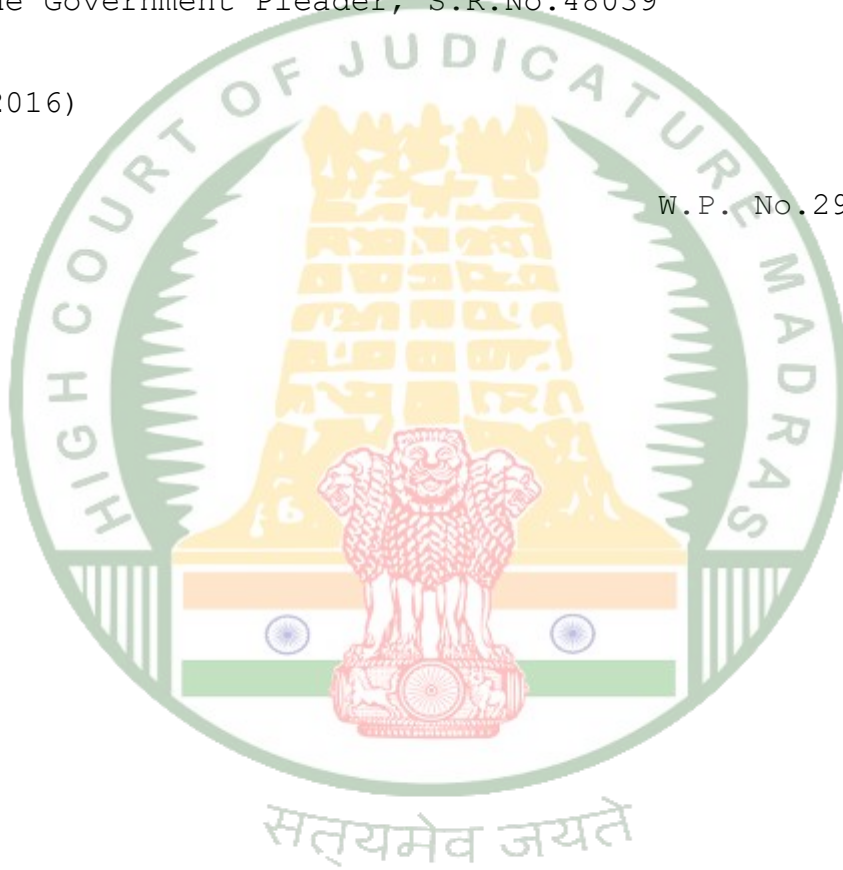
2.The District Educational Officer,
Coonoor, Nilgiri - 643 102.

3.The Headmaster,
Govt. Higher Secondary School,
Kannerimukku, Nilgiri - 643 102.

+lcc to Mr.R. Malaichamy, Advocate, S.R.No.47792
+lcc to the Government Pleader, S.R.No.48039

EV(CO)
EU(28/09/2016)

W.P. No.29226 of 2016



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