

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5485 of 2017

and W.M.P.No.5841 of 2017

Padmavathy

.. Petitioner

-vs-

- 1.The Secretary to Government,
The Medical and Health Department,
Secretariat, Chennai - 600 009.
- 2.The Director,
Tamil Nadu Medical and Health Department,
DMS Complex, Anna Salai,
Chennai.
- 3.The Deputy Director,
Tamil Nadu Medical and Health Department,
Thiruvannamalai District, Thiruvannamalai.
- 4.The Block Medical Officer,
Government Primary Health Center,
Karapattu - 606 705
Thiruvannamalai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records relating to the proceedings dated 22.11.2016 made in Na.Ka.No.248/A1/DHC/2016 passed by the 4th respondent and quash the same and consequently direct the respondents to appoint the petitioner in a suitable post on the compassionate ground in the respondent Department.

For Petitioner : Mr.Pitty Parthasarathy

For Respondents: Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

This writ petition has been filed before this Court challenging the correctness of the impugned order seeking compassionate appointment.

2. Heard the learned counsel appearing for the petitioner. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice on behalf of the respondents.

3. The very purpose of granting compassionate appointment by the employer to the legal heirs of the deceased, who died in service, is only for the purpose of tiding over the crisis and taking care of the bereaved family from the financial crunch and difficulties that had arisen due to the sudden death of the breadwinner of the family. But in the present case, the petitioner viz., Padmavathy, aged about 35 years, got married during the lifetime of her mother Mrs. Malliga. Therefore, when the petitioner's mother, who was working in the respondent Department as Hospital Worker at Primary health Centre, Periyakulam, Chengam Taluk, Thiruvannamalai District died on 20.07.2012, the petitioner's application dated 28.05.2013 seeking compassionate appointment by enclosing all the documents was rejected on the ground that the petitioner is not eligible and entitled to get compassionate appointment for the reason that during the service of the petitioner's mother as Hospital Worker at Primary Health Centre, the petitioner got married and settled with her husband separately. Secondly, the petitioner's father also died long time back, i.e., 25 years ago. The legal heirship certificate also shows that there is no one, neither a younger sister or a younger brother, to take care of by the petitioner.

4. In that view of the matter, the rejection of the request of the petitioner for compassionate appointment by the impugned order can never be found fault with. Therefore, this Court finding no merits in the writ petition, is inclined to dismiss the same. Accordingly, the writ petition is dismissed. Consequently, connected miscellaneous petition is also dismissed. However, there is no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
The Medical and Health Department,
Secretariat, Chennai - 600 009.

2.The Director,
Tamil Nadu Medical and Health Department,
DMS Complex, Anna Salai,
Chennai.

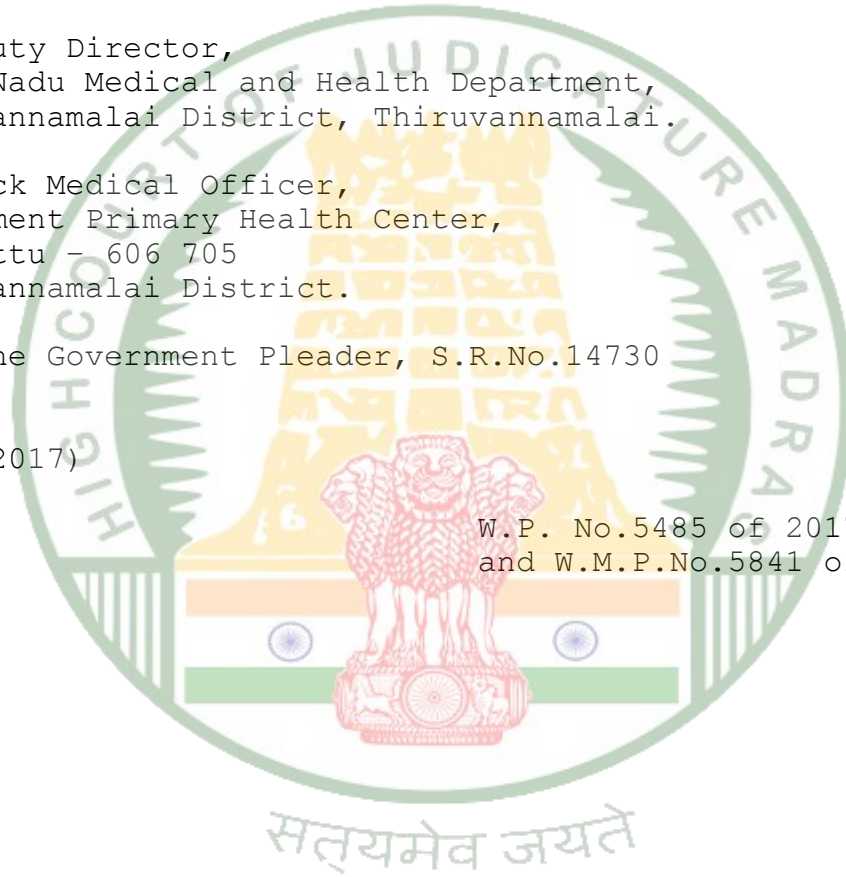
3.The Deputy Director,
Tamil Nadu Medical and Health Department,
Thiruvannamalai District, Thiruvannamalai.

4.The Block Medical Officer,
Government Primary Health Center,
Karapattu - 606 705
Thiruvannamalai District.

+1cc to the Government Pleader, S.R.No.14730

VGI (CO)
md(06/04/2017)

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