

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7571 of 2017

A.Athithan .. Petitioner

-vs-

1. The Director
Directorate of Ex-Service Men's Welfare
22, Raja Muthaiah Salai, Choolai
Chennai 600 003
2. The District Collector
Villupuram District
Villupuram 606 601
3. The Assistant Director
Department of Ex-Service Men's Welfare
Villupuram 606 601 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the respondents to consider and dispose the petitioner's representation dated 06.02.2017 through RPAD on 09.02.2017.

For Petitioner :: Mr.M.Palanimuthu

For Respondents:: Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petitioner has come to this Court seeking a writ of mandamus, directing the respondents to consider and dispose of his representation dated 6.2.2017 sent through Registered Post Acknowledgment due dated 9.2.2017 seeking employment on compassionate ground. Since the mother of the petitioner was removed from service on 22.9.2008, after issuance of charge memo dated 11.5.2005, subsequently, the appeal of the petitioner's mother was also rejected by the Government on 21.12.2009.

2. When the petitioner's mother was removed from service pursuant to the departmental enquiry on 22.9.2008 and the further appeal made by his mother on 18.5.2008 was also rejected by the Government on 21.12.2009, it is not known how the petitioner, who is the son of the removed employee, can move

further representation to consider his request for giving employment. If it is a case of death of a Government servant while in service, then the dependents of the deceased family members can ask for appointment on compassionate ground. But in the case of a removal, none of the dependents of the removed employee or dismissed employee can ask for any employment on compassionate ground. Therefore, the writ petition, being not legally maintainable is dismissed. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

1. The Director
Directorate of Ex-Service Men's Welfare
22, Raja Muthaiah Salai, Choolai
Chennai 600 003
2. The District Collector
Villupuram District
Villupuram 606 601
3. The Assistant Director
Department of Ex-Service Men's Welfare
Villupuram 606 601

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सत्यमेव जयते

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