

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

WRIT PETITION.No.17270 of 2017

S.Monisa

... Petitioner

Vs

The Commissioner,
Corporation of Coimbatore,
Coimbatore District-641 001.

... Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the respondent culminating into the impugned order namely Na.Ka.No.1790/2014/MC6 dated 30.01.2017 and to quash the same as illegal and consequently direct the respondent to provide a suitable job to the petitioner on compassionate grounds arising out of the death of the petitioner's father late K.Sekaran.

For Petitioner : Mr.V.Chinnasamy

For Respondent : Mr.Sivakumar

ORDER

The claim in this writ petition is that the father of the writ petitioner late K.Sekaran was employed in the Health Department, and died on 8th March 1998 while he was in service. Immediately, after the death of the father of the writ petitioner, the mother of the writ petitioner submitted an application for compassionate appointment. However, the said application was not perceived and the writ petitioner and their family members abandoned the application as it is.

2. The contention of the writ petitioner is that at the time of the death of her father, she was aged about two years and after completing the Higher Secondary Course in 2013 and on attaining the age of 18 years, she applied for compassionate appointment. The respondent also called for certificate verification on 27th July 2015 and the certificates were also verified. But thereafter, the respondent issued the impugned

order vide proceeding dated 30.01.2017 stating that the application for compassionate appointment submitted by the mother of the writ petitioner was rejected long back and now, after a lapse of 17 years the claim for compassionate appointment cannot be considered.

3. This Court is of the view that there is no infirmity in the reasons stated in the impugned order since the claim of compassionate appointment is only to mitigate the indigent circumstances on account of the sudden demise of a Government employee. When the family of the writ petitioner is able to manage the family for more than 17 years from the date of death of the deceased government employee, the question of considering the writ petitioner for compassionate appointment cannot be undertaken.

4. Accordingly, the decision communicated in the impugned order to the writ petitioner is in order and seeking of compassionate appointment cannot be extended in such a manner so as to provide employment to the writ petitioner more specifically after a lapse of 17 years.

5. In this view of this matter, the grounds in the writ petition deserve no further consideration. Accordingly, this Writ Petition stands dismissed. However, there is no order as to costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

To

The Commissioner,
Corporation of Coimbatore,
Coimbatore District-641 001.

+1cc to Mr.R.Sivakumar,Advocate sr.47161

+1cc to Mr.V.Chinnasamy,Advocate sr.47190

W.P. No.17270 of 2017

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ss(25/7/2017)