



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.09.2017

CORAM:

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.A.(MD)No. 1188 of 2017

R.Balasubramanian

.. Appellant

Vs.

1.The Superintending Engineer (incharge)
Dindigul Distribution District,
Meenakshi Nayakkanpatti,
Dindigul.

2.R.Ramuthai

3.R.Rajesh Kannan

4.R.Gomathi

... Respondents

PRAYER: Appeal is filed under Clause 15 of Letters Patent, to set aside the order dated 16.06.2017 in W.P.(MD) No.7246 of 2015 on the file of this Court.

Prayer in WP(MD). 7246/ 2015 :

This Writ Petition is filed under Article 226 of the Constitution of India, praying to issue of a Writ of Certiorarified mandamus, to call for the records of the 1st respondent in impugned proceedings in க.எண்.012616/493/நி.பி/உ.4/கோ.தனி/2014 dated 29/12/2014 and quash the same and consequently direct the 1st Respondent to give compassionate appointment to petitioner.

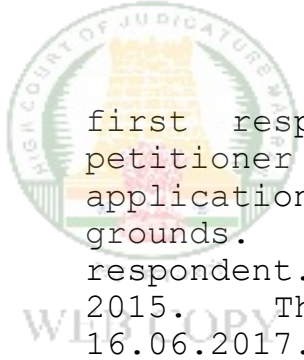
For Appellant : Mr.K.Sudalaiyandi

For Respondents : Mr.T.S.Md. Mohideen, AGP for R1

JUDGMENT

[Judgment of the Court was delivered by G.R.SWAMINATHAN, J.]

The unsuccessful writ petitioner is on appeal challenging the order dated 16.06.2017 made in W.P.(MD) No.7246 of 2015. The writ petitioner's father was working as Accountant in the office of the



first respondent. He passed away on 02.12.1995. The writ petitioner was hardly two years old at that time. He submitted an application on 03.05.2014 seeking appointment on compassionate grounds. It was rejected by order dated 29.12.2014 by the first respondent. Challenging the same, he filed W.P.(MD) No.7246 of 2015. The learned Judge dismissed the same by order dated 16.06.2017. Hence, this intra Court appeal.

2. When it is the admitted case of the appellant that his father passed away as early as in 1995, the question of granting compassionate appointment will not arise. The appellant cannot expect the department to wait till he attains the age of majority. Compassionate appointments are not matters of right. The case of the writ petitioner will have to fall within the four corners of the scheme in operation. The writ petitioner has not made out such a case. Reasons assigned by the learned Judge are fully justified. There are no merits in this appeal.

3. The writ appeal stands dismissed. No costs.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

The Superintending Engineer (incharge)
Dindigul Distribution District,
Meenakshi Nayakkanpatti,
Dindigul.

+One cc to Mr.K.Sudalaiyandi, Advocate, SR.No.78096

+One cc to The Special Government Pleader, SR.No.78367

Arul/skm

RL/4C/2P/SV/MMS/SAR1/21/9/2017

W.A. (MD) No. 1188 of 2017

11.09.2017