

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2018

CORAM:

**THE HONOURABLE MR. JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR. JUSTICE M.DHANDAPANI**

W.A.No.583/2018 and CMP.No.5609/2018

1. The Director of School Education,
DPI Complex, College Road, Chennai-6.
 2. The Director of Elementary School Education,
DPI Compound, College Road,
Chennai-6.
 3. The District Educational Officer,
Erode, Erode District.
 4. The District Elementary School Educational
Officer, Erode, Erode District.
 5. The Assistant Educational Officer,
Kodumudi, Erode District.
- ... Appellants

Vs

M.Satish Kumar ... Respondent

Prayer : Writ Appeal filed under Clause 15 of the Letter Patent against the order dated 23.11.2016 made in W.P.No.26343/2012 by a learned Single Judge.

For Appellants	: Mr.C.Munusamy, Special Government Pleader (Edn.)
For Respondent	: Mr.K.Sathish Kumar

JUDGMENT

(Judgment of the Court was pronounced by **HULUVADI G.RAMESH, J.**)

The Writ Appeal is directed against the order dated 23.11.2016 made in W.P.No.26343/2012 by a learned Single Judge.

2. The Writ Petition has been filed challenging the order passed by the 3rd respondent therein dated 31.1.2012 rejecting the case of the writ petitioner for compassionate ground appointment on the ground of delay in applying the same. The said Writ Petition was allowed by the learned Single Judge of this Court by order dated 23.11.2016. Aggrieved over the same, the respondents therein are before this Court with this Writ Appeal.

3. The matter is listed today under the caption, "for admission". We have heard the learned Special Government Pleader (Education) appearing on behalf of the appellants and the learned Counsel for the respondent herein and also perused the materials available on record.

4. On the face of the records, it appears that at the time of demise of his father on 21.7.1994, the respondent was a minor, aged about 13 years. Therefore, his mother gave a representation to the appellants on 2.12.1999 seeking compassionate appointment to his son since he attained majority only on 31.5.1999. The same was rejected

by order dated 31.1.2012 on the ground that it is a belated claim. Against the same, in the Writ Petition filed by the respondent herein, the learned Single Judge by setting aside the impugned order, allowed the same with a direction to the appellants herein to forthwith issue an appropriate appointment order to the respondent based on his qualification within a period of eight weeks from the date of receipt of a copy of that order.

5. Now, it came to the knowledge of this Court that since the appellants have not complied with the said order, a Contempt Petition has been filed and thereafter, the order of the learned Single Judge has been complied with by providing the post of Junior Assistant to the respondent herein in the vacant place by the 3rd respondent herein.

6. Since the order of the learned Single Judge by virtue of the Contempt Petition has already been implemented, we do not find any reason to interfere with the selection made by the appellants.

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HULUVADI G.RAMESH,J.

and

M.DHANDAPANI, J.

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7. In the result, the Writ Appeal stands dismissed. No costs.
Consequently, connected Miscellaneous Petition is closed.

(H.G.R.J.)

(M.D.I.J.,)

03.07.2018

Index : Yes\No

Internet : Yes

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