

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.2378 of 2018

S.John Sampath

...Appellant

Versus

1. The State of Tamilnadu rep. by its
Secretary to Government,
School Education Department,
Fort St. George, Chennai 600 009.
 2. The Director of School Education,
College Road, Chennai 600 006.
 3. The District Elementary Educational
Officer, Erode.
 4. The Assistant Elementary Educational
Officer, Nambiyur, Erode District.
- Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 9.7.2018 passed in W.P.No.19154 of 2015 on the file of this court.

W.P.No.19154 of 2015

Certiorarified Mandamus Calling for the records pertaining to the order dated 08.03.2013 made in Na.Ka.No. 2595/A1/2011 on the file of the 3rd respondent quash the same and consequently direct the 3rd respondent to appoint the petitioner on compassionate ground as Secondary Grade Teacher in the place of his deceased Mother Mrs. D.Ranjitham Secondary Grade Teacher who died in harness on 08.07.2003 or any other suitable posts depending upon his qualification and eligibility by considering his application dated 21.02.2005 and 17.08.2005 and to extend all benefits arising thereto.

For appellant : Mr.R.Baskaradoss
For respondent : Mr.C.Munusamy,
Special Government Pleader
JUDGMENT

(Judgment of the court was made by K.KALYANASUNDARAM, J.)

This writ appeal has been filed against the order passed by the learned Single Judge on 9.7.2018 in W.P.No.19154 of 2015.

2. The application of the petitioner seeking appointment on compassionate ground on the death of his mother, while in service as Secondary Grade Teacher, was rejected by the respondents and the same was challenged before the writ court.

3. The learned Single Judge, having found that the father of the appellant/writ petitioner is a retired Government Servant getting pension, that the sister of the appellant/writ petitioner is also serving in Government and got married and is living separately and the family is getting family pension on the death of the mother of the appellant/writ petitioner, has held that there is no indigent circumstances in the family of the appellant/writ petitioner warranting consideration of the appellant/writ petitioner for appointment under compassionate grounds.

4. Having heard the learned counsel appearing for the parties and perused the materials available on record, we do not find any justifiable reason to interfere with the order passed by the learned Single Judge. The writ appeal fails and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The Secretary to Government,
The State of Tamilnadu
School Education Department,
Fort St. George, Chennai 600 009.
2. The Director of School Education,
College Road, Chennai 600 006.
3. The District Elementary Educational
Officer, Erode.

4. The Assistant Elementary Educational
Officer, Nambiyur, Erode District.

+1cc to Mr.R.Baskaradoss, Advocate, S.R.No.74263

+1cc to the Government Pleader, S.R.No.75287

W.A.No.2378 of 2018

RK (CO)
GSP (28/11/2018)



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