



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19444 of 2014
and
MP(MD)No.1 of 2014

S.S.Sivakumar

... Petitioner

Vs.

1. The Director of Public Libraries,
Directorate of Public Libraries,
No.737/1, Anna Salai,
Chennai-2.

2. The District Library Officer,
Karur District,
No.2, Brammatheertham Salai,
Karur - 639 001.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 27.02.2014.

For Petitioner : Mr.E.K.Kumaresan
For Respondents : Mr.J.Gunaseelan Muthaiah,
Additional Government Pleader

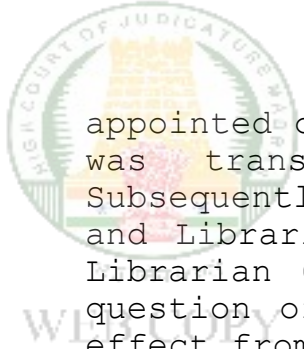
O R D E R

The writ petitioner seeks a direction for disposal of his representation dated 27.02.2014. The prayer in the said representation is that his seniority in the post of Grade -III Record Clerk should be fixed by considering 01.04.1992 as the date on which he was appointed as Grade III Librarian.

2.The learned Additional Government Pleader appearing for the respondents submitted that the request of the writ petitioner is inherently not maintainable and that therefore there is no merit in this writ petition.

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3.It is seen from the records that the writ petitioner was



appointed on compassionate ground on 19.02.1992 as Record Clerk. He was transferred to Tiruchirappalli District on 18.05.1992. Subsequently, he was promoted as Librarian Grade-III on 11.07.1994 and Librarian Grade-II on 24.08.2003. He is presently working as Librarian Grade-II in the District Central Library, Karur. The question of considering him as Librarian Grade-III(untrained) with effect from 19.02.1992 on the very face of it is unacceptable.

4.The writ petitioner was appointed as Record Clerk on compassionate grounds. The object of the scheme granting compassionate appointment to a dependent in the family of the deceased employee is to help the family that is in distress. The writ petitioner was therefore accommodated as Record Clerk in the year 1992. He became Librarian Grade-III only on 11.07.1994. Therefore, by no stretch of imagination can the question of fixing his seniority in the post of Librarian Grade-III with effect from 19.02.1992 ie., from the date of appointment as Record Clerk will arise. There is no merit in this writ petition. It stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Director of Public Libraries,
Directorate of Public Libraries,
No.737/1, Anna Salai,
Chennai-2.

2. The District Library Officer,
Karur District,
No.2, Brammatheertham Salai,
Karur - 639 001.

+ 1 CC TO Mr.E.K.KUMARESAN, ADVOCATE IN SR No. 44536
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 44598

SKM

TE/KKR/SAR-2 : 15/02/2018 : 2P/5C

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MP (MD) No.1 of 2014
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