



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.18575 of 2018

and

W.M.P.(MD) .No.16434 of 2018

R.Katturaja

.. Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Palani Taluk,
Dindigul District.

.. Respondents

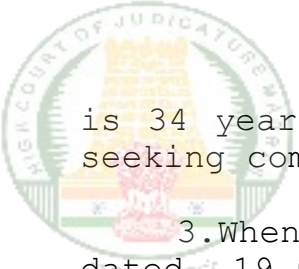
Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the order of the 2nd respondent in his proceedings in O.Mu.3666/13/Aa1 dated 04.04.2013 and the 1st respondent in his proceedings in Mu.Mu.No.29630/2017/Aa3 dated 20.09.2017 and quash the same as illegal, consequently to direct respondents to consider the petitioner's case for compassionate appointment.

For Petitioner : Mr.T.Lenin Kumar
For Respondent : Mr.S.Dayalan
Government Advocate

ORDER

The petitioner has come forward with this writ petition, for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the orders of the 2nd respondent, dated 04.04.2013 and the 1st respondent, dated 20.09.2017 and quash the same as illegal, consequently direct respondents to consider the petitioner's case for compassionate appointment.

2.The case of the petitioner is that the petitioner is entitled to compassionate appointment on account of his father's demise on 01.04.2012. The petitioner's request was rejected by the impugned orders dated 04.04.2013 and 20.09.2017, stating that the petitioner



is 34 years 11 months and 25 days old and that the person, who is seeking compassionate appointment should be less than 35 years.

3. When the G.O.Ms.No.9 of Labour and Employment Department, dated 19.01.1998 and G.O.Ms.No.235 of Labour and Employment Department, dated 26.09.2013 are very specific that when the person who is above 35 years should not be considered for compassionate appointment, this Court cannot pass an order directing the respondents that the case of the petitioner should be considered. Even according to the petitioner, he has made the last representation in 2013 and more than 5 years have gone by from the date of the said representation. On that score also, the petitioner is not entitled to any relief.

4. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Palani Taluk,
Dindigul District.

+ 1 CC TO Mr.T.LENIN KUMAR, ADVOCATE IN SR No. 80363
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 80621

VS
TE/RSK/SAR-1 : 24/09/2018 : 2P/5C

W.P. (MD) No.18575 of 2018
27/08/2018