

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.03.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.2692 of 2019

M.Siva

.. Petitioner

..vs..

1.The Princial Secretary/
Commissioner of Revenue Administration,
Chepauk,
Chennai - 600 005.

2.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

3.The Tahsildar,
Kalasapakkam Taluk,
Tiruvannamalai Distrct.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Memo dated 06.07.2018 in N.K.No.A2/705/2016 on the file of the 3rd respondent and quash the same; consequentially direct the respondents to give compassionate appointment to the petitioner by giving age relaxation suitable in terms of the letter No.46571/N-1/82-3 Labour and Employment Department dated 24.11.1982, within a reasonable time to be fixed by this Court.

For Petitioner : Mr. R.Neelakandan

For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader

O R D E R

The order of rejection dated 06.07.2018, rejecting the claim of the writ petitioner for compassionate appointment is under challenge in the present writ petition.

2. The father of the writ petitioner was employed as Village Assistant and died on 16.01.2016, while he was in service. The writ petitioner submitted an application seeking appointment on compassionate grounds. However, the said application was rejected on the ground that the writ petitioner crossed the maximum age limit for providing public employment. As per the Service Rules in force, the age limit fixed for providing compassionate appointment is 35 years and the writ petitioner had already crossed the maximum age limit of 35 years and therefore, he is not eligible to secure public employment by way of compassionate appointment.

3. This Court is of an opinion that the scheme of compassionate appointment is to followed strictly in accordance with the terms and conditions and the Competent Authority cannot violate the terms and conditions stipulated in the scheme of compassionate appointment.

4. In the present case on hand, the writ petitioner had already crossed the maximum age limit fixed for compassionate appointment and there is no infirmity as such in respect of the reasons stated in the impugned order.

5. Accordingly, the present writ petition is devoid of merits and stand dismissed. No costs.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

Pns

To

1.The Princial Secretary/
Commissioner of Revenue Administration,
Chepauk,
Chennai - 600 005.

2.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

3.The Tahsildar,
Kalasapakkam Taluk,
Tiruvannamalai Distrct.

+1cc to Mr.R.Neelakandan, Advocate SR.No.25486

+1cc to Government Pleader SR.No.25684

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SSV(CO)
GMY(03/05/2019)



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