

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 07.02.2019

CORAM
THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.26784 of 2009
and M.P. No.1 of 2009

N.Pugazhanthi

.. Petitioner

Versus

1.The Secretary to the
Government of Tamil Nadu,
Highways Department,
Secretariat, Chennai-600 009.

2.The Chief Engineer,
Highways Department,
Chennai 600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the second respondent to consider the claim of the petitioner for compassionate appointment to the post of Junior Draughting Officer as per his qualification under 25% quota intended for compassionate appointment under group 'C' category.

For Petitioner : Mr.R.Rengaramanujam

For Respondents: Mr.K.Ravikumar,
Additional Government Pleader

O R D E R

The petitioner has come to this Court seeking a direction to the second respondent to consider his claim for compassionate appointment to the post of Junior Draughting Officer as per his qualification under 25% quota intended for compassionate appointment under group 'C' category.

2.It is seen that at the time of filing the writ petition, the petitioner was aged about 35 years. After pendency of ten years, the petitioner now is aged about 45 years, which is over and above the age limit of 35 years as per 54A of the Tamil Nadu State and Subordinate Service Rules. It is necessary to extract as under:

54(a). Age concessions for appointment on compassionate grounds.

Notwithstanding anything contained in the Special Rules

for various State and Subordinate Services regarding the maximum age limit for appointment by direct recruitment, in the case of appointment by compassionate grounds, the maximum age limit shall be 35 years in respect of the sons or the unmarried daughters and 50 years in respect of wife or husband of the Government servant, who died in harness while in service, or retired from service on medical invalidation before attaining the age of 53 years, as the case may be.

3. In view of the above Rules prescribing maximum age limit of 35 years in respect of the sons or the unmarried daughters in the case of appointment by compassionate grounds, the prayer in the writ petition seeking compassionate appointment has become infructuous as the petitioner is ineligible for getting the same.

4. Accordingly, the writ petition is dismissed as infructuous. Consequently, connected M.P. is closed. No costs.

Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

vga

To

1. The Secretary to the
Government of Tamil Nadu,
Highways Department,
Secretariat, Chennai-600 009.

2. The Chief Engineer,
Highways Department,
Chennai 600 009.

+1cc to Mr. R. Rengaramanujam, Advocate, S.R.No.11254

+1cc to the Government Pleader, S.R.No.11895

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VSN II (CO)

RRS (05/04/2019)