

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.19167 of 2019

P.Kumaresan

..Petitioner

vs

1. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Salamedu,
Villupuram.

2. The Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Thirukkivilur Depot,
Thirukkivilur,
Villupuram District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent to consider and dispose of the petitioner's representation dated 24.05.2019 for compassionate appointment.

For Petitioner : Mr.Ilayaperumal.A

For Respondents: Mr.A.Antony Arockiaraj

O R D E R

The prayer sought for in this Writ Petition is to direct the 1st respondent to consider and dispose of the petitioner's representation dated 24.05.2019 for compassionate appointment.

2. The case of the petitioner is that his father viz., Palanivel was employed as Driver in 2nd respondent's office. On 17.03.2009, the petitioner's father died due to accident. At the time of his father's death, the petitioner was 11 years old

and was not eligible to make a representation for compassionate appointment. Thereafter, on 24.05.2019, the petitioner made representation to the respondents claiming compassionate appointment. However, till date the representation made by the petitioner was not considered. Hence the Writ Petition is filed.

3. Mr.A.Ilayaperumal, learned counsel appearing for the petitioner would submit that, the petitioner was minor at the time of his father's demise and was not eligible for seeking compassionate appointment. Thereafter, on attaining majority, the petitioner made representation on 24.05.2019 to the respondents. Therefore, he prayed this Court to issue a direction to the respondents to consider the petitioner's representation and pass orders on merits.

4. Mr.Antony Arockyaraj, learned counsel appearing for the respondents would submit that an application seeking appointment on compassionate ground should be made within 3 years after the demise of the employee. In the case on hand, the petitioner made representation after a lapse of 10 years, which is not within a time for consideration. Hence he sought for the dismissal of the Writ Petition.

5. Heard the counsel on either side and perused the records.

6. In the present case, when the petitioner's father died, there were no eligible person in their family for claiming compassionate appointment and claiming the same after a lapse of 10 years cannot be the ground for seeking compassionate appointment. Hence the Writ Petition fails.

7. The Writ Petition is dismissed. No costs.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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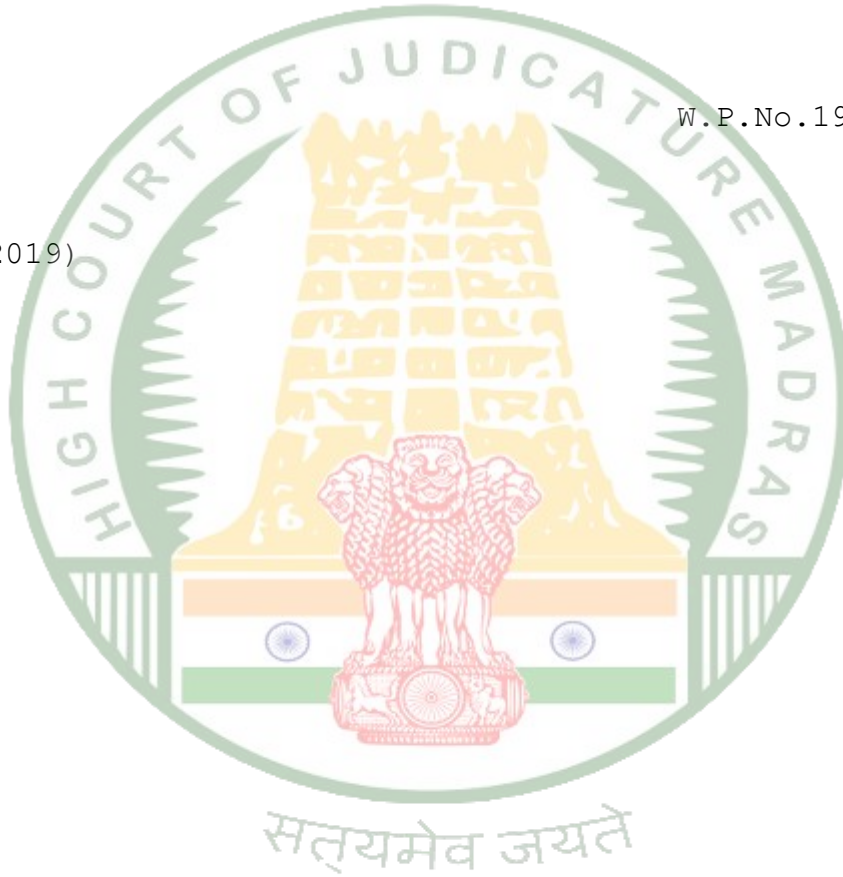
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+1 CC to Mr.A.Antony Arockiaraj, Advocate sr 78908.
+1 CC to Mr.A.Ilayaperumal, Advocate sr 78864.

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RK (CO)
SP (01/11/2019)



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