

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2019

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.3833 of 2019

R.Karthikeyani ... Appellant/Petitioner

Vs.

1. The Government of Tamil Nadu
rep. by its Secretary
Department of School Education
Fort St. George
Chennai - 600 009.
2. The Director of School Education
College Road, Chennai - 600 006.
3. The District Educational Officer
Cheranmahadevi Educational District
Office at Tirunelveli Town.
4. The Headmaster
Government Higher Secondary School
Panagudi - 627 109
Tirunelveli District. .. Respondents /Respondents

PRAYER: Appeal under Clause 15 of the Letters Patent against the order dated 13.6.2019 passed by the learned Single Judge in W.P.No.25963 of 2014.

WP.NO.25963/2014:

Prayer:- This Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus calling for the records pertaining to the order of 3rd respondent made in O.M.6044/A1 04 dated 04.02.2008 and the order of the 2nd respondent made in Mu.Mu.No.37409/I3 2009 dated

10.09.2009 and quash the same consequent to direct the 1st and 2nd respondents to appoint the petitioner on compassionate grounds in anyone of the post in the Department of School Education with all benefits.

For Appellant : Mr.R.Malaichamy

For Respondents : Mr.C.Munusamy
Special Government Pleader
(Education)

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the appellant and the learned counsel for the State.

2. It is undisputed that the writ petition was filed claiming compassionate appointment almost after 21 years of the death of the deceased employee.

3. The learned counsel for the appellant submits that for the purpose of relaxation a request was made to the Appellate Authority, which, according to the appellant, is still pending and hence, the dismissal of the writ petition would be an impediment in the consideration of any such relaxation, which may be entertained by the Appellate Authority.

4. We do not comment upon any such plea having been raised, but the fact remains that the learned Single Judge did not commit any error in declining to exercise jurisdiction after 21 years of the death of the deceased employee.

The appeal is consigned to records. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

1. The Secretary
Government of Tamil Nadu
Department of School Education
Fort St. George
Chennai - 600 009.
2. The Director of School Education
College Road, Chennai - 600 006.
3. The District Educational Officer
Cheranmahadevi Educational District
Office at Tirunelveli Town.

+lcc to Mr.R.Malaichamy, Advocate sr.94865
+lcc to Government Pleader SR.NO. 95543, 96018

W.A.No.3833 of 2019

mr(co)
nr 12/12/2019



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