

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.12.2019

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34496 of 2019
and
WMP Nos.35200 and 35202 of 2019

R.Ganesh Raj

... Petitioner

Vs.

1. The Commissioner of Municipal Administration,
Chepauk, Chennai 600 005.
2. The Commissioner,
Mayiladuthurai Municipality,
Nagapattinam District.

... Respondents

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.No.5677/2018/H1 dated 05.03.2019 passed by the 2nd respondent herein and quash the same as illegal, arbitrary, unreasonable being violative of rules and principles of natural justice and thereby direct the respondents to provide appointment to the petitioner on compassionate grounds in any suitable post consequent on the death of his mother on 06.07.2014 while in services of the respondents.

For Petitioner : Mr.A.R.Suresh

For Respondents : Mr.P.Siva Shanmuga Sundaram
Special Government Order

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O R D E R

This writ petition has been filed challenging the order passed by the 2nd respondent, rejecting the request made by the petitioner seeking for compassionate appointment in the place of his mother, who was working as a Sanitary worker under the 2nd respondent and died in harness on 06.07.2014.

2.It is seen from records that the age of the petitioner is 42 years. At the time of the death of his mother, he was aged about 38 years. It is unbelievable that the petitioner had not engaged himself in any work at the age of 38 years and he is seeking for a compassionate appointment in the place of his mother as a Sanitary worker. Even if the age is not a bar for the petitioner to be considered for the said post, the fact that the petitioner did not even go for any work till 38 years and sought for the compassionate appointment only shows the attitude of the petitioner. The compassionate appointments are given in order to tide over the situation and in order to fill up the vacuum that is created due to the sudden death of a breadwinner of a family. If the petitioner is considered for compassionate appointment, it will defeat the very purpose of compassionate appointment. This Court is not inclined to interfere with the orders passed by the 2nd respondent and accordingly, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Municipal Administration,
Chepauk, Chennai 600 005.
2. The Commissioner,
Mayiladuthurai Municipality,
Nagapattinam District.

+1cc to Mr.A.R.Suresh, Advocate, S.R.No.104156

W.P.No.34496 of 2019

and

WMP Nos.35200 and 35202 of 2019

NRL (CO)
CS/24/01/2020

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