

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.04.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.30466 of 2018

Maheswari

.. Petitioner

..Vs..

1. The District Collector,
Collectorate Officer,
Sathuvacherry,
Vellore District.
2. The Deputy Block Development Officer,
Collectorate Office,
Sathuvacherry,
Vellore District.
3. The Block Development Officer,
Kankuppam Village & Post,
Vellore District.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to consider the petitioner's representation dated 07.05.2018 requesting for employment as Pump Operator in Machanoor Village and post, Katpadi Taluk, Vellore District on Compassionate grounds and consequently to disburse the benefits entitled by petitioner's deceased father Mr.Chinasamy within a stipulated time frame fixed by this Court.

For Petitioners : Mr.S.P.Arthi

For Respondents : Mr.R.S.Selvam
Government Advocate

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O R D E R

The relief as such sought for in the present writ petition is for a direction to direct the first respondent herein to consider the petitioner's representation dated 07.05.2018 requesting for employment as Pump Operator in Machanoor Village and post, Katpadi Taluk, Vellore District on Compassionate grounds.

2. Admittedly, the father of the writ petitioner late Sri. Chinasamy, was employed as Pump Operator on daily wage basis and it is a part-time employment. The father of the writ petitioner passed away on 02.05.2018. The petitioner states that on account of the sudden demise of the father of the writ petitioner, family was in penurious circumstances. However, the case of the writ petitioner has not been considered by the Competent Authority.

3. The learned Government Advocate appearing on behalf of the respondent opposed the contention by stating that the father of the writ petitioner was served as Pump Operator, on daily wage basis and it is a part-time employment.

4. Therefore, the scheme of compassionate appointment is not applicable to the daily wage employees and the part time employees. In view of the fact that the scheme itself is inapplicable, as far as the daily wage employees are concerned.

5. The relief as such sought for in the present writ petition cannot be considered as the scheme of compassionate appointment is extended only to the permanent employees of the Government and therefore, this Court is of the considered opinion that the claim set out in the writ petition deserves no merit consideration as the deceased employee was the daily wage employee and the scheme of compassionate appointment is not applicable.

6. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Pns

To

1. The District Collector,
Collectorate Officer,
Sathuvacherry,
Vellore District.

2. The Deputy Clock Development Officer,
Collectorate Office,
Sathuvacherry,
Vellore District.

3. The Block Development Officer,
Kankuppam Village & Post,
Vellore District.

+1 cc to M/s.S.P.Arthi, Advocate, S.R.No.35034

+1 cc to the Government Pleader, S.R.No.35018

W.P.No.30466 of 2018

SR(CO)
SSM(20/05/2019)



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