

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.04.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.30991 of 2018

S.Munivel

..Petitioner

vs

The Executive Officer,  
Denkanikottai Selection Grade Town Panchayat,  
Krishnagiri District. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to call for the records on the file of the respondent in his Pro.m/jp/K/vz;/52/2017/ml dated 06.03.2017 quash the same and consequently directing the respondent to reconsider and pass orders on the representation dated 28.03.2018 regarding compassionate appointment in the light of the G.O.Ms.No.155, Labour and Employment Department dated 16.07.1993 in Paragraph 3 of the (extracted supra) in the light of the orders of this Court in W.P. (MD) .No.22015 of 2016 dated 17.11.2016.

For Petitioner : Mr.A.Baskaran

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

O R D E R

The claim of the writ petitioner is to provide appointment to him on compassionate ground. The request of the writ petitioner was negatived by the Executive Officer vide proceedings dated 06.03.2017 stating that the husband of the deceased employee was already employed in the same Town Panchayat and therefore, the other legal heirs are not entitled to avail the scheme of compassionate appointment.

2. The scheme of compassionate appointment stipulates that if the legal heir of the deceased employee is already in Government service, then they are not entitled for the benefit of the scheme of compassionate appointment.

3. In the present case on hand, the husband of the deceased employee Shri.Madhammal is also employed in the same Selection Grade Town Panchayat and therefore, the writ petitioner is not entitled to avail the scheme of compassionate appointment.

4. This being the factum, the order passed by the respondent, which is impugned in the writ petition is in consonance with the terms and conditions of the scheme. There is no infirmity as such in the order passed by the respondent.

5. The writ petition is devoid of merits. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

ssb

To  
The Executive Officer,  
Denkanikottai Selection Grade Town Panchayat,  
Krishnagiri District.

+2cc to Mr.R.S.Selvam, Advocate SR.No.36060,36890

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SSV(CO)  
GMY(06/06/2019)

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