



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.04.2019
CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.(MD).No.7766 of 2019

Alwin Paul Abraham

.. Petitioner

/Vs./

The Principal District Judge,
Thoothukudi District,
Thoothukudi.

.. Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Mandamus to call for the records pertaining to the proceedings of the respondent dated 16.06.2017 and quash the same and direct the respondent to provide suitable appointment to the petitioner on compassionate ground within a period that may be fixed by this Court.

For Petitioner : Mr.V.Kannan

ORDER

(Order of this court was made by **K.KALYANASUNDARAM, J.**)

By consent, this writ petition itself is taken up for final disposal.

2.The petitioner claims to be the adopted son of Rathinaraj, who died on 12.08.2002, while he was serving as Sheristadar in Sub Court, Thoothukudi. His wife Mrs.R.Selvagandhi Annanthai submitted an application on 22.03.2006 requesting an appointment to her adopted son, the petitioner herein on compassionate ground.

3.The said application was rejected by the learned Principal District Judge, Thoothukudi, by the impugned order by observing that the employee cannot seek appointment on compassionate as a matter of right. The learned District Judge has relied on the decision of the Supreme Court in **Umesh Kumar, Nagpal Vs. State of Haryana** reported in **JT (1994) (3) SC 525**, to come to the conclusion that the petitioner is not entitled for appointment after lapse of fifteen years.

4.Considering the facts, we are of the opinion that the order ~~impugned in this writ petition~~ does not warrant any interference of this Court and we find no merits in this case.



5. In that view, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (AS)

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/ True Copy /

Sub Assistant Registrar (CS)

TM

To

The Principal District Judge,
Thoothukudi.

+1 CC to M/s.V.KANNAN, Advocate (SR-58395[F] dated 02/04/2019)

W.P. (MD) .No.7766 of 2019
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ES/SP/29.04.2019/2P/3C