



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.12747 of 2011

and

M.P. (MD) .No.1 of 2015

S.Prakash

... Petitioner

Vs.

The Senior Divisional Manager,
Divisional Office,
Life Insurance Corporation Ltd.,
Jeevan Prakash Bridge Station Road,
P.B.No.16, Sellur,
Madurai District.

... Respondent

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records relating to the impugned order dated 25.06.2013 quash the same and consequently, direct the respondent to give appointment to the petitioner on compassionate grounds.

For Petitioner : Mr.V.Perumal
For Respondent : Mr.C.Godwin

ORDER

The order of rejection dated 25.06.2013, rejecting the claim of the writ petitioner for compassionate appointment, is under challenge in the present writ petition.

2.The father of the writ petitioner was employed as an Assistant in the Life Insurance Corporation of India and died on 11.05.2013, while he was in service. The writ petitioner submitted an application on 05.06.2013 seeking appointment on compassionate ground. The said application was rejected without ascertaining any reason. Though the reasons are not stated in the impugned order, the learned counsel appearing for the respondent now produced the rules in connection with the scheme of compassionate appointment. As per the rules, the upper age limit shall be 45 years in case of spouse and 30 years in case of sons and unmarried daughters of an employee, who dies while in service or who retires atleast 5 years prior to the date of superannuation.

3.The Rule contemplates that the unmarried sons or daughters must be within 30 years of age in respect of the spouse, it must be below 45 years. This being the factum, the age limit prescribed for



the purpose of providing appointment on compassionate ground under the scheme of appointment, this Court is of the considered opinion that the writ petitioner is already over aged and the writ petitioner is now aged about 46 years and therefore, the scheme of compassionate appointment cannot be extended in favour of the writ petitioner.

4. In view of the above, this Writ Petition stands Dismissed. No costs. Consequently, the connected miscellaneous petitioner is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

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To

The Senior Divisional Manager,
Divisional Office,
Life Insurance Corporation Ltd.,
Jeevan Prakash Bridge Station Road,
P.B.No.16, Sellur,
Madurai District.

+1CC TO MR.C.GODWIN, Advocate Sr. No.69579
+1CC TO MR.V.PERUMAL, Advocate Sr. No. 69488

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and
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NRK (CO)
TR (04.07.2019) 3P 4C