



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.A(MD) .No.1343 of 2019

in

W.P(MD)No.13213 of 2014

E.Benorin Playel

.. Appellant / Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
Department of School Education,
Secretariat, Chennai-9.

2.The Director of School Education,
College Road, Chennai-9.

3.The District Educational Officer,
Thuckalay,
Kanyakumari District.

4.The District Elementary Educational Officer,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent to set aside the order dated 05.08.2019 made in W.P(MD).No.13213 of 2014 on the file of this Court and allow this writ appeal.

Prayer in WP(MD) . 13213/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the connected and relevant records relating to the proceedings in Na.Ka.NO.8047/Aa1/06 dated 6.6.2014 passed by the 3rd respondent herein and quash the same and consequently direct the respondents to appoint the petitioner on compassionate grounds as per the petitioner s qualification and pass such further order or orders.

For Appellant : Mr.S.Ramakrishnan

For Respondents : Mrs.S.Srimathy
Special Government Pleader



JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.S.Ramakrishnan, learned counsel appearing for the appellant and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

2.This appeal is directed against the order made in W.P(MD). No.13213 of 2014, dated 05.08.2019. The prayer sought for in the writ petition is to quash the order passed by the third respondent rejecting the request for compassionate appointment. The Court noted that the claim was made after 14 years of the deceased employee's demise by adopted daughter. Apart from that, 19 years have elapsed, when the writ petition was heard.

3.In our considered view, at this juncture, the question of issuing any direction to grant compassionate appointment would not arise and if done, it would be contrary to the settled legal position. Thus, we find no ground to interfere with the order passed by the learned Single Bench.

4.Accordingly, this Writ Appeal is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

rmk

To

1.The Secretary to Government of Tamil Nadu,
Department of School Education,
Secretariat, Chennai-9.

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College Road, Chennai-9.

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+1CC TO MR.D.CHRISTENSON JUGUNU, ADVOCATE, SR NO.101384

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_KK/SAR/19.12.2019/2P-6C/