



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **01.10.2019**
CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE Mrs.JUSTICE R.THARANI

W.A. (MD) .No.982 of 2019

S.Manivasagan ... Appellant/Petitioner
Vs.

1. The Manager,
Tamil Nadu Co-operative Marketing Federation Ltd.,
(TANFED)
By-Pass Road,
Madurai.

2. The Special Officer,
Tamil Nadu Co-operative Marketing Federation Ltd.,
(TANFED)
91, Saint Mary Church Road,
Chennai - 600 018

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.P.(MD).No.14767 of 2014, dated 08.08.2019.

Prayer in WP(MD) . 14767/ 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 records pertaining to impugned order in Na.Ka.No.375/2007 dated 1.7.2014 passed by the 2nd respondent and quash the same and consequently directing 2nd respondent to provide compassionate appointment to the petitioner namely S. Manivasagan in a suitable post depending upon his qualification.

For Appellant : Mr.C.Vakeeswaran
For Respondents : Mr.S.Angappan
Gvot.Advocate

JUDGMENT

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.C.Vakeeswaran, learned counsel appearing for the appellant and Mr.S.Angappan, learned Government Advocate accepting notice for the respondents.



2. This appeal is directed against the order and direction in W.P.(MD).No.14767 of 2014, dated 08.08.2019.

3. The appellant filed a Writ Petition challenging the order passed by the 2nd respondent, dated 01.07.2014, rejecting the request made by the appellant, for providing appointment on compassionate ground, as his father died in harness. The learned Single Bench, in our considered view, rightly held that there is no right vested on the appellant to seek for compassionate appointment because, on the date, when the 1st application was made, the appellant was a minor and there is no provision under the Rules to consider an application for appointment, after a lapse of 11 years, from the date of death of the deceased employee. Therefore, we find that there is no error in the order passed by the learned Single Bench. Hence, the Writ Appeal is dismissed.

4. The learned counsel appearing for the appellant submitted that the respondent / Management, at this juncture may be willing to consider the case of the appellant. If that is the position, it is open to the appellant to approach the respondent by way of representation for consideration of his case. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

+1 CC to MR.C.VAKEESWARAN, Advocate (SR-90616[F] dated 01/10/2019)
+1 CC to SPL.GP (SR-91197[F] dated 03/10/2019)

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mpk

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