

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 06.06.2019

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No. 7412 of 2013**

Padmapriya

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Block Development Officer (VP)
Tirupathur Panchayat Union,
Tirupathur,
Sivagangai District.

3.The President,
Pramanampatti Village Panchayat,
Tirupathur Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in Na.Ka.P3,3365/2012 dated 12.03.2013 passed by the 2nd respondent quash the same and consequently, direct the respondent to appoint the petitioner in a suitable post according to my educational qualification as per the vacancy available in the District based on the Petitioner's representation dated 15.02.2013.

For Petitioner : Mr.C.Arun Alias Arunachalam

For Respondents : Mr.M.Jeyakumar

Additional Government Pleader

ORDER

The impugned order dated 12.03.2013 rejecting the claim of the writ petitioner for compassionate appointment is under challenge in the present writ petition.

2.The order of rejection states that the legal heir of the deceased employee is not eligible to secure the appointment on compassionate ground. In view of the fact that there is no Government Order in this regard.

3.The deceased employee was holding the post of Village Assistant on part time basis and he was not a permanent Government servant. Thus, the scheme of compassionate appointment is not applicable to such part time employee and therefore, there is no interference in respect of the order passed by the second respondent. This being the factum, this Court is of the opinion that the scheme of compassionate appointment cannot be extended in respect of the legal heir of the part time employee.



4. In view of the above, this writ petition stands dismissed. No costs.

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// True Copy //

Sd/-

Assistant Registrar

Sub Assistant Registrar(CS)

To

1. The District Collector,
Sivagangai District.

2. The Block Development Officer (VP)
Tirupathur Panchayat Union,
Tirupathur,
Sivagangai District.

3. The President,
Pramanampatti Village Panchayat,
Tirupathur Taluk,
Sivagangai District.

+1 CC to M/s. ARUN @ ARUNACHALAM, Advocate (SR-67658[F] dated 10/06/2019)

+1 CC to M/s. SPL GP (SR-67429[F] dated 07/06/2019)

W.P. (MD) No. 7412 of 2013
06.06.2019

ns

KK/SAR/17.06.2019/2P-6C

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