

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.19714 of 2007 &
M.P.No.2 of 2007

Anguraj ... Petitioner

Vs.

1.The Divisional Engineer, (Highways),
Bombay Castle,
Udagamandalam.

2.The Superintending Engineer (Highways),
Coimbatore-18. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the order of the respondents in Ka.No.6849/2002/B1 dated 24.07.2002 and to quash the same and consequently direct the respondent to give appointment to the petitioner in any post based on his eligibility in the Highways Department, Coimbatore.

For Petitioner : No appearance

For Respondents : Mr.P.Chinnadurai
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner seeking to quash the order of the respondents in Ka.No.6849/2002/B1 dated 24.07.2002 and also to direct the respondents to give appointment to the petitioner in any post based on his eligibility in the Highways Department, Coimbatore.

2. There is no representation on the side of the petitioner. Heard learned Additional Government Pleader appearing for the respondents.

3. Learned Additional Government Pleader would submit that the petitioner has filed this writ petition challenging the order passed by the respondents in Ka.No.6849/2002/B1 dated 24.07.2002 rejecting the request of the petitioner for compassionate appointment. He would submit that though the

employee was died on 11.03.1997, neither the petitioner nor his mother has filed any application before the respondents within three years for compassionate appointment. Since they approached the respondents after three years, the request of the petitioner was rejected.

4. In the grounds of the petition, the petitioner has stated that he was minor at the time of his (employee) father's death and hence, he is waiting for his age of majority and filed the application for compassionate appointment.

5. Even the petitioner was failed to approach this Court immediately after the impugned order was passed.

6. Considering the fact that the petitioner has not approached the respondents within the time and also this Court, though the delay of latches is not the sole ground to disallow the claim of the petitioner. The purpose of compassionate appointment is that if any employee died while he was in service, his family members should not suffer with financial crisis for their bread. However, in the present case, the petitioner was able to manage the family from the year of his father's death i.e., 1997 till the year of approaching the respondents i.e., 2003 and also till the date of filing of this writ petition.

7. This Court does find any reason to interfere with the order passed by the respondents. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

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To

1.The Divisional Engineer, (Highways),
Bombay Castle,
Udagamandalam.

2.The Superintending Engineer (Highways),
Coimbatore-18.

+1 cc to Government Pleader Sr.No. 40102

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A.SK(20.01.2021)