IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.1809 of 2020
and
WMP Nos. 2111 & 2114 of 2020

P. Thambidurai ... Petitioner

-Vs-

1. The Director of School Education
DPI Campus, College Road, Chennai 600 006

2. The Joint Director of School Education (Personnel)
Directorate of School Education,
DPI Campus, College Road, Chennai 600 006

3. The District Educational Officer
Dharmapuri District, Dharmapuri. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ, order, or direction more particularly a writ in the nature of Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings issued by the second respondent in Na.Ka. No.60820/J4/2017 dated 02.05.2018 and to quash the same and consequently directing the respondents to pass orders granting appointment to the petitioner on compassionate ground to any suitable post based on his qualification.

For Petitioner : Mr. S. Nedunchezhiyan

For Respondents : Mr. A. Rajaperumal
Additional Government Pleader
for R1 to R3.

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ORDER

This Writ Petition has been filed challenging the impugned order passed by the second respondent, dated 02.05.2018 rejecting the claim made by the petitioner seeking for compassionate appointment.

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2. The case of the petitioner is that his mother was working as a Tamil Pandit in the Government Girls Higher Secondary School and she died while she was in service on 15.09.2003. The petitioner, who is the son, made an application seeking for compassionate appointment in the year 2006 and it was returned for certain compliances. In the meantime, the petitioner got a job in a private company and he also got married and the petitioner's wife is also a Government servant, as could be seen from the impugned order. That apart, the petitioner's father was also a Government employee, who is retired. The petitioner, at the age of 37, again started insisting for compassionate appointment and the same has been rejected by the second respondent through his impugned proceedings dated 02.05.2018. Aggrieved by the same, the present Writ Petition has been filed before this Court.

3. Heard Mr. S. Nedunchezhiyan, learned counsel for the petitioner and Mr. A. Rajaperumal, learned counsel for the petitioners.

4. This Court does not find any ground to interfere with the orders passed by the second respondent and the second respondent was perfectly right in rejecting the claim made by the petitioner. The petitioner, who is well settled, is seeking for compassionate appointment in the place of his mother who died in the year 2003. The indigenous circumstances, which is the key for considering a person for appointment on compassionate ground is completely missing in this case and therefore, the second respondent rightly rejected the claim made by the petitioner.

5. There are no grounds to entertain this Writ Petition. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

bga

To

1. The Director of School Education
DPI Campus, College Road, Chennai 600 006

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2. The Joint Director of School Education (Personnel)
Directorate of School Education,
DPI Campus, College Road, Chennai 600 006

3. The District Educational Officer
Dharmapuri District, Dharmapuri.

+1cc to Mr.G.Sankaran, Advocate, S.R.No. 6928
+1cc to the Government Pleader, S.R.No. 7172

W.P.NO.1809 of 2020

NMI(CO)
GN(04/03/2020)

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