

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2020

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Writ Petition No.6816 of 2007
(O.A.No.4765 of 2002)

A.Rajendran

..Petitioner

Vs

1.The Secretary to Government
Higher Education Department
Fort St.George
Chennai-9

2.The Director of Technical Education
Chennai-25

3.The Principal
Regional School of Printing
Central Institute of Technology
Adyar, Chennai-20

4.A.Jegadeesan

5.P.Kowsalya alias Sengabagavalli ..Respondents

Prayer : Originally this petition has been filed as Original Application No.4765 of 2002 before the TamilNadu Administrative Tribunal at Chennai and after abolition of TNAT, petition has been transferred and numbered as W.P.6816 of 2007 .

Petition filed praying to issue a writ of Mandamus to direct the respondents to provide him a job on compassionate grounds in view of the order passed in O.A.No.915 of 1992 dated 04.04.1994 on the file of the Honourable Tribunal and also by considering various representations.

For Petitioner : Mr.V.Bhiman

For Respondents : Mr.Akhil Akbar Ali, Govt.Advocate
for Respondents 1 to 3
R4- Notice served
R5- died.

ORDER

Originally the petitioner filed O.A.No.4765 of 2002 before the TamilNadu Administrative Tribunal at Chennai and after abolition of TNAT, the said petition has been transferred and numbered as W.P.6816 of 2007. The prayer in the writ petition is for a direction to the respondents to provide a job to the petitioner on compassionate grounds in view of the order passed in O.A.No.915 of 1992 dated 04.04.1994 on the file of the Tribunal and also by considering various representations.

2. The Petitioner's father was working in the third respondent office from 16.04.1958 and died in harness. The petitioner sought for appointment on compassionate grounds and made several representations and the last one being 27.1.2001.

3. The meaning of the compassionate ground appointment is that if any employee is unexpectedly died during the service, then their family members should not suffer from starvation and in such circumstances, in order to avoid the situation, any one of the family members who are qualified can be appointed on compassionate grounds to run the family as it was earlier.

4. This Writ Petition originally filed as Original Application in the year 2002. At that time, the age of the petitioner was 37 years. Due to subsequent developments, the Tribunal was abolished and the matters have been transferred to writ jurisdiction. The Writ Petition is pending from the year 2007. Now, the age of the petitioner is 55 years. Therefore, under the circumstances, the meaning of the compassionate ground goes out of context. Appointment on compassionate ground offered to a dependant of a deceased employee cannot be claimed by way of inheritance. It is a concession, not a right. Therefore, this court is not inclined to grant any relief sought for in this Writ Petition. Accordingly, the writ petition fails and the same is dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

nvsri

To

1.The Secretary to Government
Higher Education Department
Fort St.George
Chennai-9

2.The Director of Technical Education
Chennai-25

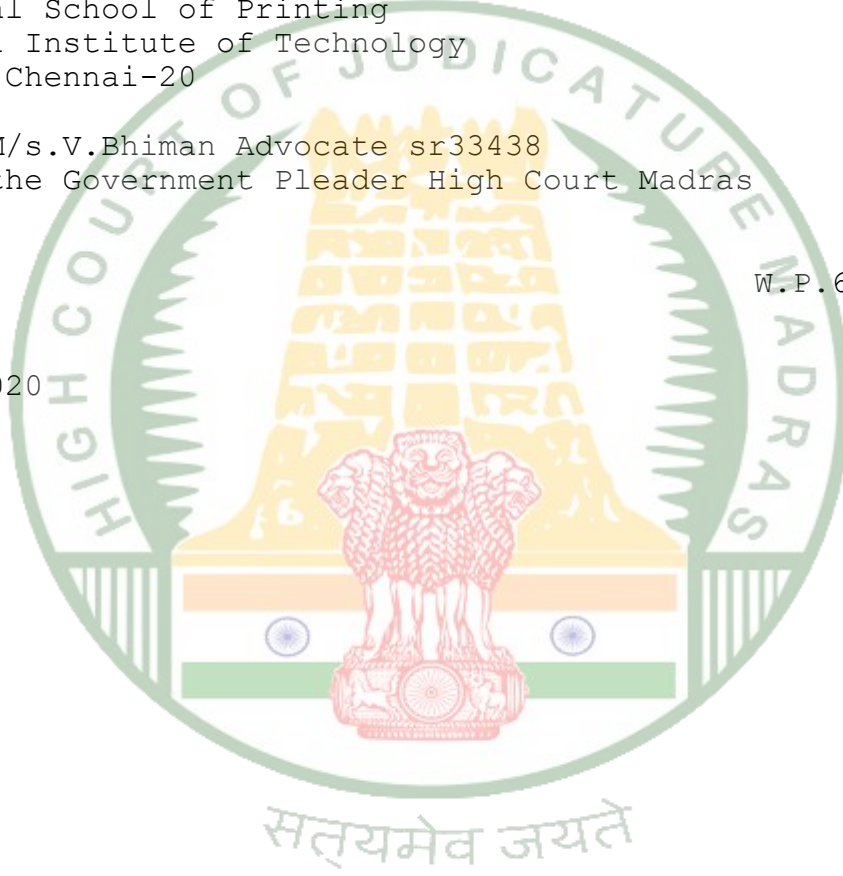
3.The Principal
Regional School of Printing
Central Institute of Technology
Adyar, Chennai-20

+1 cc to M/s.V.Bhiman Advocate sr33438

+1 cc to the Government Pleader High Court Madras
sr33303

W.P.6816 of 2007

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