

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2020

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.18979 of 2020

Mrs.Devi

... Petitioner

-Vs-

1.The District Collector,
Ariyalur District, Ariyalur.

2.The Revenue Divisional Officer,
Ariyalur Division, Ariyalur.

3.The Tahsildar,
Ariyalur Taluk, Ariyalur.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to consider the claim of the petitioner, seeking the relief of appointment on compassionate grounds within a time frame fixed by this Court.

For Petitioner : Mr.G.Ilamurugu

For Respondents : Mr.V.Kathirvelu, SGP

O R D E R

This writ petition has been filed to direct the first respondent to consider the claim of the petitioner, seeking the relief of appointment on compassionate grounds within a time frame fixed by this Court.

2. The petitioner herein seeking compassionate appointment for herself on the death of her father on 18.05.2004. According to the petitioner, her father was working as Panchayat Assistant and his services were also recommended to be regularized in Panchayat Service on 16.09.2002. However, before any decision to be taken, her father was unfortunately died. Therefore, the petitioner is before this Court seeking compassionate appointment.

3. This Court is unable to appreciate as to how the claim

could be entertained at this juncture when admittedly her father is said to have died way back in 2004. Nothing has been stated in the affidavit satisfactorily explaining the delay of 16 years for approaching this Court as well as approaching the authorities concerned.

4. Moreover, it was not clearly stated in the affidavit whether her father was a regular or temporary employee. This Court finds that the averments contained in the affidavit are disjointed and jumbled up and not projecting a cohesive case for consideration. Even otherwise, the very fact that the father of the petitioner died on 18.05.2004, whatever be the family circumstances, the respondents are not under any obligation to consider the request for compassionate appointment after such a long delay. The fact that the family has managed to survive for 16 years, would demonstrate that the petitioner and her family members were not in need of immediate employment assistance under the scheme of compassionate appointment.

5. In the said circumstances, this Court finds that the claim of the petitioner is hit by severe latches being a stale claim and cannot be entertained under any circumstances and hence dismissed. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

gsk

To

1.The District Collector,
Ariyalur District, Ariyalur.

2.The Revenue Divisional Officer,
Ariyalur Division, Ariyalur.

3.The Tahsildar,
Ariyalur Taluk, Ariyalur.

+1 cc to Mr.G.Ilamurugu Advocate sr41653

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