



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.2641 of 2021
and W.M.P. (MD) No.2189 of 2021

N.Sekar

...Petitioner

Vs.

1.The State of Tamil Nadu,
rep. by Secretary to Government,
Revenue Department,
Secretariat, Chennai - 9.

2.The District Collector,
O/o. The District Collector,
Karur District, Karur.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.A3/34070/2007, dated 08.02.2011 on the file of the respondent No.2 and the consequential impugned order in G.O.Ms.No.18, Labour and Employment (Q1) Department, dated 23.01.2020, insofar as prescribing maximum age limit for appointment on Compassionate Grounds on the file of the respondent No.1 and the consequential impugned order in Oo.MU.A1/13219/2020, dated 05.12.2000 on the file of the respondent No.2 and quash the same as illegal and consequently, direct the respondents No.1 to 3 to provide appointment to the petitioner on Compassionate Grounds in post of Sweeper or as a sanitary worker commensurate with his educational qualification within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.M.Muniyasamy
Additional Government Pleader

O R D E R

Heard Mr.T.Lajapathi Roy, learned counsel for the petitioner and Mr.M.Muniyasamy, learned Additional Government Pleader, appearing for the respondents.

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2.The petitioner herein, who is the legal heir of the Government employee, who died on 10.10.2004, sought for compassionate appointment and his request was rejected through the impugned order, dated 05.12.2020, stating that the petitioner had completed the age of 35 years and therefore, he is ineligible. The petitioner now challenges the said order.

3.Admittedly, the petitioner is now aged about 52 years and I do not see any justification as to how the respondents can even consider the petitioner's request for compassionate appointment at this age. G.O.Ms.No.18, dated 23.01.2020, also prohibits the authorities to consider the request for compassionate appointment to such persons, who have crossed the age limit. Accordingly, I do not find any merits in the present writ petition.

4.Hence, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

1.The Secretary to Government, Revenue Department,
Secretariat, Chennai - 9.

2.The District Collector, Karur District, Karur.

3.The Revenue Divisional Officer, Karur.

+1 CC to M/s.GP (SR-5149[F] dated 15/02/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-5184[F] dated
15/02/2021)

W.P. (MD) No.2641 of 2021

12.02.2021

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