



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2021

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.7798 of 2021

S.Karuppasamy

... Petitioner

vs.

1.The Chief Educational Officer,
Office of the Chief Educational Office,
China, Vanna Government Higher Secondary School,
Devapuram Road,
Central Bus Stand,
Thoothukudi.

2.The District Educational Officer,
Office of the District Educational Office,
Thiruchendur,
Thoothukudi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to issue any suitable compassionate ground of appointment pursuant to the representation of the petitioner, dated 01.02.2021.

For Petitioner : Mr.S.Balasubramanian

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

ORDER

This Writ Petition is filed seeking for a Writ of Mandamus, directing the respondents to issue appointment on compassionate ground, pursuant to the representation of the petitioner, dated 01.02.2021.

2.Mr.N.Shanmugaselvam, learned Additional Government Pleader accepts notice on behalf of the respondents.

3.By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.



4. According to the petitioner, his father was working as a Record Clerk at See.Paa Aathithanar Government Higher Secondary School, Kayamozhi, Thiruchendur Taluk, Thoothukudi District. While in service, his father died on 28.10.2011. The petitioner made an application to the respondents on 04.05.2012 and the said application was rejected on the ground that his mother was working as a Sweeper. Subsequently, the service of his mother was regularized in the year 2013. In the mean time, his mother's health was affected. Hence, the petitioner made several applications to the respondent to grant an appointment on compassionate ground. The said representations were also rejected on the ground that his mother was in service. Again, the petitioner made a representation on 01.02.2021, seeking appointment on compassionate ground for the medical expenses of his mother. Since no action has been taken on the side of the respondents, the petitioner has filed the present Writ Petition.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

6. From the materials available on record, it is seen that the petitioner's representations were rejected on two occasions in the year 2012 and 2019 for appointment on compassionate ground on the ground that his mother is working in the Government. Even now, his mother is in Government service. The petitioner requested for appointment on compassionate ground on the ground that his mother's health condition is affected and for the medical expenses of his mother and for his livelihood, he requires money and this is not a valid ground for appointment on compassionate ground. Hence, the Writ Petition is devoid of merits and the same is liable to be dismissed. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar

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 Chief Educational Officer,
Office of the Chief Educational Office,
China, Vanna Government Higher Secondary School,
Devapuram Road,
Central Bus Stand,
Thoothukudi.

2.The District Educational Officer,
Office of the District Educational Office,
Thiruchendur,
Thoothukudi.

+1 CC to M/s.SPL GP (SR-16336[F] dated 17/04/2021)

W.P (MD) No.7798 of 2021
15.04.2021

ps
MS/24.05.2021/3P.4C