



WEB COPY

W.P.No.14176 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14176 of 2016
and
W.M.P.No.12403 of 2016

S.G.Veeraraghavan

... Petitioner

Vs.

1.The District Collector,
Vellore,
Vellore District.

2.The Tahsildar,
Tirupattur Taluk,
Vellore District.

... Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in Na.Ka.A3/13802/2014 dated 04.09.2015, quash the same consequently direct the 2nd respondent to given appointment order to the petitioner on compassionate ground within a time to be stipulated by this Court.

For Petitioner : Mr.A.Sivaji

For Respondent : Mr.K.Surendran,
Additional Government Pleader



ORDER

The order of rejection rejecting the claim of the writ petitioner to appoint the writ petitioner on compassionate ground, is under challenge in the present writ petition.

2. The biological father of the writ petitioner is late Mr. Arunachalam. The date of birth of the petitioner is 07.05.1966. After the death of the biological father of the writ petitioner, the biological father's brother's junior paternal uncle Mr. Ganapathy adopted the petitioner on 16.08.1996. The adoption was not made in accordance with the provisions of the statute but it was made as per the customary practice. When the adoption itself is doubtful and cannot be trusted, as the petitioner at the time of adoption in the year 1996 was aged about 29 years. This Court is of the opinion that the claim made by the petitioner is doubtful for the purpose of securing public employment on compassionate ground.

3. In the present case, the deceased employee died on 05.01.2005 and the application submitted on 18.05.2005, which was rejected on 04.09.2015. The petitioner had not pursued the application for about ten years from the year 2005 onwards, now 17 years lapsed. The status of the petitioner as an



adopted son at the age of 29 years itself cannot be trusted upon. Therefore, the scheme of compassionate appointment at this length of time, cannot be considered. That apart, even at the time of filing of the writ petition, the petitioner was aged about 49 years and now he is around 56 years. This being the factum, the petitioner is not entitled for the relief as such sought for in the writ petition. Consequently, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

28.09.2022

mrn

Index : Yes / No

Speaking order / Non-Speaking order

To

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Vellore,
Vellore District.

2.The Tahsildar,
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Vellore District.



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S.M.SUBRAMANIAM, J.

mrn

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