



WEB COPY

W.P.No. 30367 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 30367 of 2017

K. Rajkumar

... Petitioner

Vs.

1. The Principal Secretary to
Government of Tamil Nadu
Department of Transport,
Secretariat,
Chennai.

2. The Managing Director,
Tamil Nadu Transport Corporation Limited,
Coimbatore Division,
Coimbatore.

3. The Branch Manager,
Tamilnadu Transport Corporation Limited,
Sungam II, Coimbatore Division,
Coimbatore.

... Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's candidature for the appointment on compassionate ground for the death of the petitioner's father Kanagaraj at once.

For Petitioner	: Mr. K. Anandha Raja for Mr. P. Ganapathi Subramanian
For Respondents	: No appearance- R1 to R3



ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the candidature of the petitioner for appointment on compassionate ground.

2. The petitioner states that he completed his diploma in Mechanical Engineering course at Government Polytechnic at Coimbatore, in the year 1998. At the time of the death of his father, the petitioner was aged about 29 years and was not having any independent income. Therefore, the petitioner submitted an application seeking appointment on compassionate grounds. The said representation itself was submitted by the petitioner on 27.02.2015 and on subsequent dates in the year 2016 and 2017. The petitioner has not enclosed any acknowledgement regarding the representations submitted. The representations were not submitted in a prescribed format. There is no proof to establish that the representations were acknowledged by the competent authorities of the respondent corporation. In the absence of any such proof to establish appropriate application seeking appointment, the mere representations enclosed in the typed set of papers cannot be trusted upon for the purpose of granting the relief. It is a growing practice that blanket representations are enclosed in



the typed set of papers filed along with the writ petition, for the purpose of getting the relief, even without enclosing the acknowledgement receipt of such representations.

3. In the present case, the father of the writ petitioner died on 12.12.2010 and he had submitted the application beyond the period of three years and therefore the petitioner is not entitled for the relief. That apart, the petitioner was aged about 36 years even at the time of the filing of the present writ petition and he would be around 41 years as of now and thus he has crossed the age limit contemplated for the purpose of appointment on compassionate grounds.

4. For all these reasons, the petitioner is not entitled for the relief as sought for in the present writ petition. Accordingly, the writ petition stands dismissed. No costs.

18.10.2022

mrn

Index : Yes / No

Speaking order / Non-Speaking order

To



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S.M.SUBRAMANIAM, J.



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