



W.P.No. 31871 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.11.2022

Coram

The HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.No.31871 of 2022

P.Rahul

.. Petitioner

VS.

1.Government of Tamilnadu
Rep. By Secretary to Government,
School Education,
Fort St.George, Chennai – 600 009.

2.The Commissioner,
School Education,
DPI Campus, Chennai – 600 006.

3.The Chief Educational Officer,
Ranipet.

4.The District Educational Officer,
Ranipet.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus directing the first respondent herein to consider the appeal of the petitioner against the order of the third Respondent in Na.Ka.No. 000252 /A1 / 2022 dated 25.03.2022 by applying judgment of the Honble Supreme Court reported in 2006 9 SCC Page 195 and judgment of the Hon'ble Division Bench in W.A.No. 1478 of 2017 in order dated 12.03.2021 and accordingly grant the



W.P.No. 31871 of 2022

petitioner with appointment on compassionate ground or in the alternative direct the 1st Respondent to relax the age limit prescribed under G.O. Ms. No. 18 P & AR Department dated 23.01.2020 if required and accordingly grant the petitioner with compassionate appointment based upon his educational qualification.

For Petitioner : Ms.Suneetha
For Respondents : Mr.S.Yashwanth
Additional Government Pleader

ORDER

This writ petition has been filed for a mandamus seeking for a limited relief.

2. The petitioner's mother S.Sujatha died while she was in public service. The petitioner has sought for compassionate appointment and the same was rejected by the third respondent on 25.03.2022. Aggrieved by the same, the petitioner has preferred an appeal before the first respondent on 17.10.2022. Since no final order has been passed till date in the said appeal, the petitioner has filed this writ petition.



W.P.No. 31871 of 2022

WEB COPY

3. Heard Ms.Suneetha, learned counsel for the petitioner and Mr.S.Yashwanth, learned Additional Government Pleader, who takes notice on behalf of the respondents.

4. Learned counsel for the petitioner submits that the petitioner will be satisfied if a direction is issued to the first respondent to pass final orders on the petitioner's appeal dated 17.10.2022 within a time frame to be fixed by this Court.

5. No prejudice would be caused to the respondents if such a direction is issued by this Court.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's appeal dated 17.10.2022 within a period of twelve weeks from the date of receipt of a copy of this order. While passing final orders, the first respondent shall take into consideration the Division Bench judgment of Madurai Bench of this Court dated 12.03.2021 in W.A. (MD) No.1478 of 2017 and also the decision of the Hon'ble Supreme Court in Syed Khadim Hussain Vs. State of Bihar and



W.P.No. 31871 of 2022

Others (2006 (9) SCC 195). The petitioner is directed to send a copy of the aforesaid decisions to the first respondent along with the copy of this order for effective implementation of this order.

7. With the aforesaid direction, the writ petition is disposed of.

No costs.

29.11.2022

Index:Yes/No
mmi

To

- 1.The Secretary to Government,
Government of Tamilnadu
School Education,
Fort St.George, Chennai – 600 009.
- 2.The Commissioner,
School Education,
DPI Campus, Chennai – 600 006.
- 3.The Chief Educational Officer,
Ranipet.
- 4.The District Educational Officer,
Ranipet.



WEB COPY



W.P.No. 31871 of 2022

ABDUL QUDDHOSE,J.

mmi

W.P.No.31871 of 2022

29.11.2022