



WEB COPY

W.P.No.33177 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33177 of 2019

S.Indumathi

... Petitioner

Vs.

1.The Principal Director

Highways (Construction & Maintenance),
Chennai – 600 025.

2.The Superintending Engineer

Highways (Construction & Maintenance),
Salem.

3.The Divisional Engineer,

Highways (Construction & Maintenance),
Dharmapuri Division, Dharmapuri.

4.The Assistant Divisional Engineer,

Highways (Construction & Maintenance),
Pappireddipatti Sub Division, Pappireddipatti,
Dharmapuri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 4th respondent in Na.Ka. No.283/2019/ E.Ni.U/ dated 18.06.2019 and quash the same and direct the respondents to appoint the petitioner on compassionate grounds in any suitable post



commensurate with her qualification and grant her all consequential benefits.

For Petitioner : Mr.P.Mohanraj
For Respondents : Mr.S.Balamurugan
Government Advocate

ORDER

The order of rejection, rejecting the claim of the writ petitioner for compassionate appointment is under challenge in the present writ petition.

2. The petitioner states that her father Late Mr.Sivakumar who was working as Gang Mazdoor (Salai Paniyaalar) and died in harness on 14.10.2014, while he was in service. The petitioner submitted an application on 11.10.2017, which was rejected by the competent authorities in proceedings dated 18.06.2019 on the ground that the petitioner had not completed 18 years of age at the time of submission of application.

3. As per the terms and conditions of the scheme of compassionate appointment, the eligible legal heirs completed 18 years of age alone is entitled to apply for appointment on compassionate ground. In the present case, the application itself was not entertainable, since the petitioner was a



minor on the date of submission of application.

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4. Compassionate appointment being a concession to be granted strictly in accordance with the terms and conditions stipulated. In view of the said fact, this Court do not find any infirmity in respect of the reasons stated in the impugned order.

5. Accordingly, the Writ Petition stands dismissed. No costs.

01.12.2022

Jeni
Index : Yes
Speaking order

To

1.The Principal Director
Highways (Construction & Maintenance),
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Salem.



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S.M.SUBRAMANIAM, J.

Jeni

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