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W.P.No.27001 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27001 of 2018

S.Girish Kumar

... Petitioner

Vs.

1.Government of Tamil Nadu,
Represented by Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai – 600 009.

2.The Principal Chief Conservator of Forest,
Head of the Forest Department,
Panagal Maligai,
Saidapet, Chennai – 600 015.

3.The Divisional Forest Officer,
Vellore Division, 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 on the file of the 3rd Respondent in the proceedings Na.Ka.No.9656/2014/P2 and 19.03.2018 rejecting petitioner claim for compassionate appointment and



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quash the same and consequently direct the respondents to appoint petitioner in any suitable post commensurate with his qualifications consequent on the death of petitioner father, Thiru M.Subramani on 16.12.2014 with all consequential service benefits.

For Petitioner : Mr.T.Dharani

For Respondents : Mr.K.H.Ravi Kumar
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 his father Late Thiru.M.Subramani worked in the Forest Department and died on 16.12.2014, while he was in service. The petitioner submitted an application seeking appointment on compassionate ground. However, his application was rejected in proceedings dated 19.03.2018 on the ground that the sister of the writ petitioner is working in Tamil Nadu Electricity Board. Therefore, any other legal heir of the deceased employee is not eligible to avail the benefit of scheme of compassionate appointment.



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3. One of the conditions stipulated in the scheme of compassionate appointment is that no one in the family of the deceased employee should be employed in Government Departments or Privately. If any of the legal heir is gainfully employed either in Private sector or in Government sector, then such family is not eligible to avail the benefit of scheme of compassionate appointment.

4. This being the terms and conditions, the same is to be followed scrupulously. In the present case, the 3rd respondent has rightly followed the terms and conditions of the scheme of compassionate appointment and rejected the application submitted by the writ petitioner on the ground that the daughter of the deceased employee is working in the Tamil Nadu Electricity Board.

5. In view of the facts and circumstances, this Court do not find any infirmity in respect of the order impugned passed by the 3rd respondent.



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6. Accordingly, the writ petition stands dismissed. No costs.

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Index : Yes
Speaking order

To

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S.M.SUBRAMANIAM, J.

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