



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.386 of 2022
W.M.P (MD) .No.296 of 2022

A.Livingston

... Petitioner

Vs.

1.The Director
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai 600 009.

2.The District Collector
Tuticorin District, Tuticorin.

3.The Block Development Officer
Sathankulam Panchayat Union,
Thoothukudi.

... Respondents

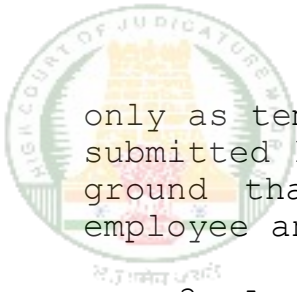
Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records of the impugned order in Se.Mu.A.No.Va6/230/2017 dated 13/09/21 on the file of the 2nd respondent and quash the same and further directing the 1st respondent to ratify the service of the petitioner's father and consequentially directing the respondents to provide appointment to the petitioner under compassionate grounds on the basis of the petitioner's application dated 18/07/16.

For Petitioner : Mr.G.Prabhu Rajadurai
For Respondents : Mr.P.S.Nedunchezian
Government Advocate

O R D E R

The order of rejection rejecting the claim of the writ petitioner for compassionate appointment in proceedings dated 13.09.2021 is under challenge in the present writ petition.

2. The father of the writ petitioner namely Asir Albert was employed as Watchman on temporary basis. The salary was fixed from the contingent fund. The father of the writ petitioner continued



only as temporary employee on the date of his death. The application submitted by the writ petitioner on 18.07.2016 was rejected on the ground that the father of the writ petitioner was a temporary employee and his services were not regularised.

3. As per the scheme of compassionate appointment, it is to be extended only to the permanent employee and the scheme cannot be expanded for the purpose of providing appointment to the legal heirs of the temporary casual employees. This being the scope of scheme, the impugned order is in consonance with the terms and conditions of the scheme and there is no infirmity as such.

4. Accordingly, the Writ Petition stands dismissed. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

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Sub Assistant Registrar(CS)

ssb

To

1.The Director
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai 600 009.

2.The District Collector
Tuticorin District, Tuticorin.

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Sathankulam Panchayat Union,
Thoothukudi.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-11256[F]
dated 10/03/2022)

+1 CC to M/s.SPL GP (SR-11193[F] dated 10/03/2022)

W.P.(MD) No.386 of 2022

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