



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.6595 of 2021

WEB COPY

M.Muthupandy

... Petitioner

vs.

1.State of Tamil Nadu

rep.by Principal Secretary to Government
Municipal Administration and
Water Supply Department
Secretariate, Chennai-600 009

2.The Commissioner of Municipal Administration
Chepauk, Chennai-5

3.The Regional Director of Municipal Administration
Madurai-635 016

4.The Municipal Commissioner
Kodaikkanal Municipality
Kodaikkanal
Dindugal District-624 101

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records of the 4th respondent relating to the order in Na.Ka.No.8289/2012/H1, dated 12.06.2018 of the 4th respondent to quash the same and to issue consequential directions to the respondents to appoint the petitioner on compassionate grounds in a suitable post commensurate with his educational qualification consequent on the death of his father M.Murugan on 24.09.2004 while in service as sanitary worker in Kodaikkanal Municipality.

For Petitioner : Mr.Punniakoti.G.

For Respondents : Mr.N.Satheesh Kumar
1 to 3 Additional Government Pleader

For Respondent -4 : M/s.L.P.Maurya

O R D E R

The order of rejection, dated 12.06.2018, passed by the fourth respondent, declining the claim of the petitioner for compassionate appointment, is under challenge in this writ petition.



2. The petitioner's father namely, Murugan died on 24.09.2004 and his mother submitted an application on 05.06.2006 seeking appointment on compassionate grounds. Unfortunately, the mother of the petitioner also died on 14.04.2008. Thereafter, the petitioner submitted an application on 17.10.2013, after a lapse of nine years from the date of death of the deceased employee. Thus, the respondents rejected the application on the ground that during the relevant point of time, the petitioner was minor and the application submitted by him beyond the period contemplated cannot be entertained. This apart, the employee died in the year 2004 and now, sixteen years lapsed. This being the factum, the relief of compassionate appointment cannot be extended at this length of time in view of the principles settled by this Court.

3. Accordingly, the writ petition fails and it is dismissed. No costs.

Sd/-

Assistant Registrar (AD-I)

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/ /2022

Sub Assistant Registrar(CS)

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To:

- 1.The Principal Secretary to Government,
Municipal Administration and
Water Supply Department,
State of Tamil Nadu,
Secretariate, Chennai-600 009.
- 2.The Commissioner of Municipal Administration,
Chepauk, Chennai-5.
- 3.The Regional Director of Municipal Administration,
Madurai-635 016.
- 4.The Municipal Commissioner,
Kodaikkanal Municipality,
Kodaikkanal, Dindugal District-624 101.

+1 CC to M/s.L.P.MAURYA, Advocate (SR-9629[F] dated 02/03/2022)
+1 CC to M/s.SPL GP (SR-9505[F] dated 02/03/2022)

W.P. (MD) No.6595 of 2021
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