



WEB COPY

W.P.(MD) No.7626 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.7626 of 2021

S.Lakshmi

... Petitioner

vs.

1.The Director General of Police
Chennai-4

2.The Superintendent of Police
Tirunelveli District, Tirunelveli
Respondents

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for records in Na.Ka.No. A3/35726/2020, dated 03.02.2021, on the file of the 2nd respondent and quash the same as illegal, consequently direct the respondent to provide appointment to the petitioner's daughter Miss.Chitra on compassionate ground.

For Petitioner : Mr.Kumar.S.

For Respondents : Mr.A.K.Manikkam

Special Government Pleader

O R D E R

The order of rejection, dated 03.02.2021, passed by the second respondent, rejecting the claim of the petitioner for compassionate appointment, is under challenge in this writ petition.

2. The husband of the petitioner Late.Shanmuganathan was working in the Police Department and he died on 22.12.2007, while he was in service. The daughter of the deceased employee was minor during the relevant point of time and therefore, the petitioner submitted an application seeking compassionate appointment to her second son on 16.07.2008.

3. The learned Special Government Pleader appearing for the respondents made a submission that the application submitted by the petitioner on 16.07.2008 was considered by the respondent and he was offered with an appointment to the post of Data Entry Assistant. However, the second son of the petitioner has not responded to the



offer, but he made a request to provide appointment to his sister / daughter of the deceased employee.

4. There is no such clause under the scheme of compassionate appointment to make a request to provide employment to the other legal heir of the deceased employee. When the application was submitted for appointment on compassionate grounds to the son of the deceased, at the time of offering appointment, he cannot make a request to provide appointment to his sister / daughter of the deceased employee. Thus, the respondents have rightly rejected the claim of the petitioner. This apart, the deceased died in the year 2007 and now 14 years lapsed. In such circumstances, this Court is not inclined to consider the case of the petitioner in view of the principles laid down by this Court as well as the Honourable Supreme Court.

5. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Director General of Police,
Chennai-4.

2.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

+1 CC to M/s.S.KUMAR, Advocate (SR-9986[F] dated 04/03/2022)

+1 CC to M/s.SPL GP (SR-10334[F] dated 07/03/2022)

order made in
W.P. (MD) No.7626 of 2021
03.03.2022

PNK(12.03.2022) 2P 5C