



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. (MD) No. 11086 of 2021

M.Anitha

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Housing Board,
Nandhanam, Annasalai,
Chennai - 600 035.
2. The Managing Director,
Tamil Nadu Housing Board,
Nandhanam, Annasalai,
Chennai - 600 035.
3. The Secretary and Personnel Officer,
Tamil Nadu Housing Board,
Nandhanam, Annasalai,
Chennai - 600 035.
4. The Administrative Officer,
Tamil Nadu Housing Board,
CMDA Complex,
E & C Market Road,
Koyambedu,
Chennai - 600 107.
5. The Executive Engineer / Administrative Officer,
Madurai Housing Unit,
Tamilnadu Housing Board,
70 Feet Road, Ellis Nagar,
Madurai - 625 016.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order bearing Letter No.Pa.Tho.Nu.A.3/25101/2021-2 dated 19.04.2021 on the file of the fourth respondent and quash the same as illegal and consequently direct the respondents to provide suitable job to the petitioner on compassionate ground.

For Petitioner : Mr.S.Mahendrapathy

For Respondents : Mr.A.Mahaboob Athiff



O R D E R

The order of rejection dated 19.04.2021 rejecting the claim of the writ petitioner for compassionate appointment is under challenge in the present Writ Petition.

WEB COPY

2. The father of the writ petitioner one Murugan was working as Sweeper in Madurai Housing Unit Office of the Tamil Nadu Housing Board, i.e., fifth respondent and died on 12.04.2006, while he was in service. The mother of the writ petitioner was not possessing the requisite educational qualification of 8th Standard and she is not eligible. The petitioner, who is the daughter of the deceased employee, submitted a representation to the Chief Minister Cell on 05.04.2021 and the said representation was forwarded to the first respondent. The same was rejected in the impugned order dated 19.04.2021.

3. The learned counsel appearing for the respondents made a submission that the claim of the writ petitioner for compassionate appointment was rejected by the respondents on 21.10.2010 itself.

4. The petitioner had not chosen to challenge the said order. However, the petitioner is going on submitting representations repeatedly and whenever an order of rejection is passed, he is filing a Writ Petition. The first order of rejection dated 21.10.2010 was not challenged during the relevant point of time by the petitioner. Therefore, the cause arose in the year 2010 cannot be a ground for entertaining the present Writ Petition. Furthermore, the employee died in the year 2006 and already 16 years lapsed. The petitioner ought to have pursued the matter soon after the order of rejection was passed by the respondent on 21.10.2010 and such practice of going on filing the representations on whenever the respondents have not responded and making the complaint if the order of rejection is passed and filing a Writ Petition, can never be appreciated by the Court. Therefore, the petitioner is not entitled for any relief of compassionate appointment.

5. Accordingly, this Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vji



To

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+1 CC to M/s.M.MEHABOOB ATHIFF, Advocate (SR-9966[F] dated
04/03/2022)

+1 CC to M/s.S.MAHENDRAPATHY, Advocate (SR-9977[F] dated
04/03/2022)

**W.P. (MD) No. 11086 of 2021
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