



W.P.(MD)No.11925 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11925 of 2022

and

W.M.P(MD)No.8476 of 2022

S.Kanagamuthu

... Petitioner

Vs

1.The District Educational Officer,
Office of the District Educational Officer,
Pudukottai,
Pudukottai District.

2.The Block Educational Officer,
Office of the Block Educational Officer,
Pudukottai,
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent vide his proceedings in Pa.Moo.No.99/A3/2022 dated 19.04.2022 and quash the same as illegal and consequentially to direct the respondents to appoint the petitioner on compassionate ground to any of the post commensurate with the petitioner's qualification within the period that may be stipulated by this Court.



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For Petitioner : Mr.Mohamed Suhail
for M/s. Ajmal Associates

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2. The writ petitioner claims to be the adopted son of late Dhanalakshmi. The said Dhanalakshmi was working as Head Master at Panchayat Union Primary School, Vavapoor Post, Pudukottai District. She died on 29.05.2014. The petitioner submitted his application for compassionate appointment on 07.02.2022. It was rejected by the impugned memorandum dated 19.04.2022. Questioning the same, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner took me through the contents of the affidavit filed in support of the writ petition and contended that the petitioner was aged about 14 years when his mother was passed away. And only after gathering all the particulars he would submit the application for compassionate appointment on 07.02.2022.

4. I am not persuaded by the submissions advanced by the learned counsel appearing for the petitioner. The learned Special Government Pleader appearing for the respondents rightly contended that as per G.O(Ms)No.18



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(Labour and Employment (Q1) Department) dated 23.01.2020, an application for compassionate ground appointment will have to be submitted within a period of three years from the date of death of the Government Servant. When such specific time limit to prefer the application is stipulated in the Government Order, it is not possible for this Court to extend the same.

5. That apart, as contended by the learned Special Government Pleader, appointment on compassionate ground is granted to tide over immediate financial crisis faced by the family. Between the date of death of the Government Servant and the date of submission of the application eight full years have lapsed. The compassionate ground appointment is not one more source of recruitment. Looked at from any angle, the order impugned in the writ petition does not call for interference.

6. This writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

20.09.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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To

- 1.The District Educational Officer,
Office of the District Educational Officer,
Pudukottai,
Pudukottai District.
- 2.The Block Educational Officer,
Office of the Block Educational Officer,
Pudukottai,
Pudukottai District.

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