



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2022

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.1730 of 2019

and

W.M.P (MD) No.1481 of 2019

Sahaya Mary John

... Petitioner

-vs-

1.The Director of Collegiate Education,
No.68, College Road,
EVK, Sampath Maligai,
Chennai-600 006.

2.The Joint Director of Collegiate Education,
Madurai Zone,
Madurai.

3.The Secretary,
Madurai College,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent in Na.Ka.No.4676/Aa2/2012, dated 07.10.2017 and quash the same and consequently direct the respondents to consider the petitioner's claim for compassionate appointment in the place of the petitioner's husband late. D.Jhonson, and appoint the petitioner's son namely Naveen in any suitable post by considering the petitioner's application, dated 23.08.2018.

For Petitioner : Mr.T.Selvakumaran

For R1 & R2 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

O R D E R

The order impugned, dated 07.10.2017 is the returning of the application submitted by the writ petitioner for appointment on compassionate ground.

2. The husband of the writ petitioner died on 16.07.2011 while he was in service. On account of sudden demise of the husband of the petitioner, the family was in penurious circumstances. The writ



petitioner states that she made an application on 16.09.2011 to the respondents to provide appointment on compassionate ground to her son namely Naveen on attaining his age of majority. At the time of submission of the application, son of the petitioner was studying 10th standard and was aged about 15 years.

WEB COPY

3. The case of the son of the petitioner was considered and final order was passed rejecting the application on the ground that the son of the petitioner had not completed 18 years of age on the date of submission of the application. Son of the petitioner was found ineligible for compassionate appointment. If at all the petitioner raises the ground of penurious circumstances on account of sudden demise of the employee, she would have sought appointment for herself at the first instance. However, the petitioner has submitted an application to provide an appointment to her son, who was minor during the relevant point of time the husband of the petitioner died. Now, almost 20 years lapsed from the date of death of the Government employee. Under these circumstances, the Court cannot consider the claim of the writ petitioner for compassionate appointment. If at all under the revised Government Order issued pursuant to the judgment of the Full Bench of the High Court of Madras, the petitioner is at liberty to submit an application in the manner known to law.

4. With these observations, the writ petition stands dismissed. No order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

am

To

1.The Director of Collegiate Education,
No.68, College Road,
EVK, Sampath Maligai,
Chennai-600 006.

2.The Joint Director of Collegiate Education,
Madurai Zone,
Madurai.



3.The Secretary,
Madurai College,
Madurai.

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-5101[F] dated
09/02/2022)

+1 CC to M/s.SPL GP (SR-4771[F] dated 08/02/2022)

W.P.(MD) No.1730 of 2019
07.02.2022

RK(22.02.2022) 3P 6C