



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2022

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

W.P. (MD) No.4314 of 2019

WEB COPY

R.Ravi

... Petitioner

-vs-

1.The Principal Secretary to Government of Tamil Nadu,
Department of School Education,
Secretariat,
Chennai.

2.The Director of School Education,
Chennai.

3.The Chief Education Officer,
Pudukkottai District.

4.The District Education Officer,
Illupur Post & Taluk,
Pudukkottai District.

... 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 relating to the Impugned Order, dated 11.12.2018 passed by the fourth respondent in Na.Ka.No.2375/A1/2018 and quash the same as illegal and arbitrary and in consequence thereof direct the respondents 1 & 2 to provide employment to the petitioner on compassionate ground.

For Petitioner	: Mr.P.Ganapathi Subramanian
For Respondents	: Mr.G.V.Vairam Santhosh Additional Government Pleader

ORDER

The application submitted by the writ petitioner for compassionate appointment was rejected on the ground that the earlier application submitted by the elder brother of the petitioner was rejected, is under challenge in the present writ petition.

2. The petitioner states that his father was working as Headmaster in the Government Higher Secondary School and died on 16.02.2011 while he was in service. The elder brother of the petitioner, who was also eligible during the relevant point of time, submitted an application and the said application was rejected by the respondents in proceedings dated 28.03.2014. The application of



the brother of the writ petitioner was rejected mainly on the ground that the family was not in penurious circumstances and they having sufficient source of income for the purpose of leading normal life. The very purpose and object of the scheme of compassionate appointment is to mitigate the penurious circumstances arising out of sudden demise of the employee. When the family is having sufficient source of income, then the scheme of appointment on compassionate ground cannot be extended and thus, this Court is of the opinion that the order of rejection in respect of the brother of the writ petitioner itself cannot be found fault. As far as the application submitted by the petitioner is concerned, the second application for compassionate appointment cannot be entertained as the first application submitted by the brother of the writ petitioner was rejected. This apart, there is no provision to entertain second application after the rejection of the first application.

3. This being the factum, the petitioner has not established any acceptable ground for the purpose of considering the relief as such sought for in the writ petition and hence, the writ petition is liable to be dismissed.

4. Accordingly, the writ petition stands dismissed. No order as to costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

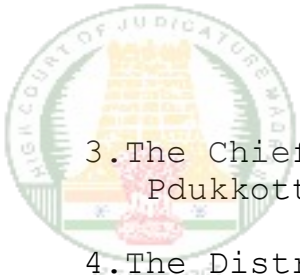
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Note : In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Principal Secretary to Government of Tamil Nadu,
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Chennai.

2.The Director of School Education,
Chennai.



3.The Chief Education Officer,
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+1 CC to M/s.SPL GP (SR-4800[F] dated 08/02/2022)

W.P.(MD) No.4314 of 2019
07.02.2022

MGJ(15.02.2022) 3P 6C