



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.6362 of 2019

and

W.M.P (MD) No.5085 of 2019

WEB COPY

Tmt.B.Mallika

... Petitioner

-vs-

1.The State of Tamil Nadu represented by its
Secretary to Government,
Food, Cooperation and Consumer Protection Department,
Fort St. George, Chennai-09.

2.The Tamilnadu Civil Supplies Corporation Ltd.,
Rep by its Chairman-cum-Managing Director,
No.42, Thambusamy Road,
Kilpauk, Chennai-10.

3.The General Manager (Admin),
Tamilnadu Civil Supplies Corporation Ltd.,
No.42, Thambusamy Road,
Kilpauk, Chennai-10.

... 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 in pursuant to the impugned order passed by the third respondent in his proceedings Na.Ka.No.Y3 E 9/ 63530/2015, dated 11.04.2017 and quash the same and consequently direct the respondents to provide employment to the petitioner on compassionate grounds based on the Educational Qualification within a stipulated time.

For Petitioner

: Mr.M.Saravanakumar

For R1

: Mr.A.K.Manikkam

Special Government Pleader

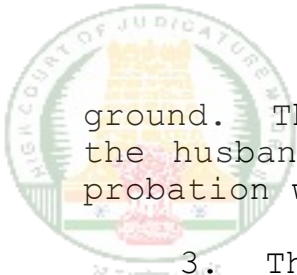
For R2 & R3

: R.Saravanan

O R D E R

The order of rejection, dated 11.04.2017 in respect of the application filed by the petitioner for appointment on compassionate ground, is under challenge in the present writ petition.

2. The petitioner states that her husband Late Mr.A.Baskaran was employed as Helper and subsequently, working as Bill Clerk. Admittedly, the probation was not declared. Unfortunately, the husband of the petitioner died on 11.06.2015 and the petitioner submitted an application seeking appointment on compassionate



ground. The respondents rejected the application on the ground that the husband of the petitioner was not the regular employee as his probation was not declared.

3. The scheme of compassionate appointment is extended only in respect of permanent employees. As far as the temporary employees are concerned, they are not come within the purview of compassionate appointment. In the present case, admittedly, the service of the husband of the petitioner not confirmed as his probation was not declared and he died as a temporary employee and therefore, the respondents are right in rejecting the application under the scheme of compassionate appointment.

4. This Court do not find any infirmity as such in respect of the reasons as being a compassionate appointment concession is to be extended scrupulously strictly in accordance with the terms and conditions stipulated under the scheme.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Secretary to Government,
Food, Cooperation and Consumer Protection Department,
Fort St. George, Chennai-09.

+1 CC to M/s.R.SARAVANAN, Advocate (SR-4639[F] dated 08/02/2022)

+1 CC to M/s.SPL GP (SR-4733[F] dated 08/02/2022)

+1 CC to M/s.K.VAITHILINGAM, Advocate (SR-4949[F] dated
09/02/2022)

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KS (CO)

KB(15.02.2022) 2P 5C