



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. (MD) No. 9749 of 2019

and

W.M.P. (MD) No. 7648 of 2019

C. Ananth

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli.

2. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Ranithottam,
Kanyakumari District.

... Respondents

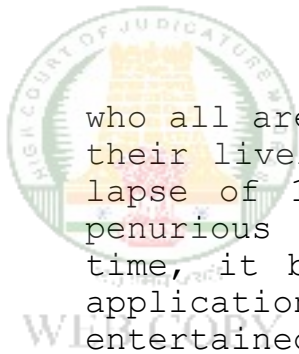
PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent in his proceeding in Letter No.1807/A10/TNSTC/Nagar/2017 dated 03.11.2018 and quash the same and consequently direct the respondents to appoint the petitioner in any suitable post in the respondent Transport Corporation based on the petitioner's educational qualification.

For Petitioner : Mr.L.Prabakaran

For Respondents : Mr.K.Sathiya Singh

O R D E R

The father of the writ petitioner one Chelladurai who was working as a Conductor in Transport Corporation died on 19.12.2001 when he was in service. The petitioner was a minor during relevant point of time. On attaining the age of majority, the petitioner submitted an application seeking compassionate appointment on 06.04.2017, most specifically after a lapse of 16 years from the date of the death of the deceased employee. The very scheme of compassionate appointment is to provide assistance to the families



who all are in penurious circumstances and not in a position to lead their livelihood. When the application itself was submitted after a lapse of 16 years, the factual infringe is to be drawn that the penurious circumstances if at all arose during relevant point of time, it become vanished on account of efflux of time. Thus, the application submitted after a lapse of 16 years was rightly not entertained. Thus, the impugned order is in consequence with the terms and conditions of the scheme of appointment and there is no infirmity as such.

2. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (P&A)

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/ /2022

Sub Assistant Registrar(CS)

vji

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Ranithottam,
Kanyakumari District.

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-4653[F] dated 08/02/2022)

+1 CC to M/s.L.PRABAKARAN, Advocate (SR-4655[F] dated 08/02/2022)

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