



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.20657 of 2021 and W.M.P. (MD) No.17285 of 2021

R.Jeevadurai ... Petitioner

-vs-

The District Collector,
The District Collector Office,
Trichurapalli District, Trichy. ... Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records of the 1st Respondent in Na.Ka.A4/17870/2020 dated 27.10.2020 quash the same and consequently direct the respondent to issue appointment order to the petitioner herein under the compassionate ground as per his qualification within a time to be stipulated by this Court.

For Petitioner : Mr.A.Sivaji

For Respondent : Mr.A.K.Manikkam, Special Govt. Pleader

O R D E R

The order of rejection dated 27.10.2020, rejecting the claim of the writ petitioner for compassionate appointment, is under challenge in the present writ petition.

2.The case of the writ petitioner is that his mother was working as Revenue Inspector at Vaiyampatti, Manaparai Taluk, Trichy, and died on 12.01.2014 while she was in service. The petitioner was a minor during the relevant point of time. His father pre-deceased his mother. Thus, an application dated 08.05.2015 was submitted by his grandmother, but the same was not considered.

3.The learned counsel for the petitioner made a submission that the terminal and pensionary benefits are yet to be settled.

4.In this regard, the petitioner is at liberty to submit an appropriate application to the competent authority and the respondent on receipt of any such application is bound to settle all the benefits due to the deceased employee in favour of the legal heirs after verifying the relevant documents.



5.As far as the appointment on compassionate grounds is concerned, the scheme cannot be expanded for the purpose of providing appointment after a lapse of 7 years. Furthermore, the petitioner has now completed his degree course in Arulmigu Palaniandavar College of Arts and Culture, Palani and under these circumstances, the penurious circumstances arose on account of the death of his mother did not exist as of now. Therefore, the petitioner is not eligible to seek appointment on compassionate grounds. This being the factum, the petitioner is entitled to get all the terminal and pensionary benefits due to his mother by submitting appropriate application along with all documents and after verification by the competent authority. However, the scheme of compassionate appointment cannot be extended after this length of time.

6.With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)

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To

The District Collector,
The District Collector Office,
Trichurapalli District, Trichy.

+1 CC to M/s.A.SIVAJI, Advocate (SR-10530[F] dated 08/03/2022)

+1 CC to M/s.SPL.GP (SR-10977[F] dated 09/03/2022)

W.P.(MD) No.20657 of 2021
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