



WEB COPY



W.P.No.10422 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.09.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P No.10422 of 2012

Muralikrishna

....

Petitioner

Vs

1. Director of Health and Preventive Medicine,
Teynampet, Chennai – 5.

2. Deputy Director of Medicine and
Rural Welfare Scheme,
Vellore.

....

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner for a suitable post on compassionate ground in Health department.

For Petitioner : No appearance

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader

ORDER

This Writ Petition has been filed for direction directing the respondents to appoint the petitioner for a suitable post on compassionate ground.



2. Heard the learned Additional Government Pleader appearing for the respondents. There is no representation on behalf of the petitioner. Therefore, this Court is inclined to pass orders on merits.

3. According to the petitioner, his father was working in the Health Department. He died on 06.11.2010, while he was in service. He left behind the petitioner, his wife and his daughter as his legal heirs. On the demise of his father, the petitioner applied for appointment on compassionate ground.

4. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner had filed a suit in O.S.No.70 of 2011 on the file of the Additional District Munsif, Vellore. The said suit was decreed as exparte. Thereafter, one Rameena filed a suit in O.S.No.418 of 2010 on the file of the District Munsif, Tirupattur, for declaration that they are the legal heirs of the deceased Velu. By a decree and judgment dated 15.06.2012, the Tahsildar, Tirupattur was restrained to issue any legal heir certificate to others. In this regard, the petitioner did not state anything in his suit. He also stated in the plaint that his father's marriage was performed 27 years before. But the petitioner stated in the writ petition that he is aged about 36 years. Therefore,



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the petitioner is not a legal heir of the deceased Velu. He also failed to produce any birth certificate and school certificate.

5. In view of the above, the relief sought in this writ petition cannot be considered. Thus the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

26.09.2023

Index : Yes/No

Internet : Yes/No

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To

1. The Director of Health and Preventive Medicine,
Teynampet, Chennai – 5.

2. The Deputy Director of Medicine and Rural Welfare Scheme,
Vellore.



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