



WEB COPY



W.P.No.26867 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

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

W.P.No.26867 of 2012

B.Kalavathy

... Petitioner

-Vs-

1. Tamil Nadu State Literacy Mission Authority,
represented by Chairman and Managing Director,
Directorate of Non-Formal and Adult Education,
Chennai.

2. State Resource Center for
Adult and Continuing Education,
Represented by its Secretary,
Ministry of Human resource Development.
Adiseshiah Bhavan, No.20 First Street,
Venkaratnam Nagar Extension,
Adyar, Chennai – 600 020.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first and second respondents to consider the petitioner's representations dated 21.12.2011 and 10.04.2012 for providing the petitioner's appointment in any of the suitable job on compassionate grounds or to regularize petitioner's service as Office Assistant.

For Petitioner : Mr.R.Ramesh

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



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ORDER

This Writ Petition has been filed for direction directing the first and second respondents to consider the petitioner's representations dated 21.12.2011 and 10.04.2012 for providing the petitioner's appointment in any of the suitable job on compassionate grounds or to regularize petitioner's service as Office Assistant.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and perused the materials available on record.

3. The petitioner's husband was employed in the State Resource Centre under Tamil Nadu Board of Continuing Education on consolidated salary from 20.07.1990. Thereafter, he was appointed to the post of Chowkidar from 26.08.1994. While he was in service, he met with a road accident and died on 24.03.2006. Therefore, the petitioner submitted a representation to consider her for appointment on compassionate ground. Thereafter, in the year 2006, she was offered for appointment to the post of Office Assistant on consolidated pay from June 2006. However, she was not given regular appointment and as such, she submitted a representation.



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4. On instructions, the learned Additional Government Pleader appearing for the respondents submitted that the petitioner's husband was employed temporarily, that too on consolidated basis. Thereafter, the said scheme of State Resource Centre under Tamil Nadu Board of Continuing Education was stopped, since no fund was received. Therefore, the petitioner is not entitled for any appointment on compassionate ground. Further, the petitioner was offered to the post of Office Assistant, that too on temporary basis on consolidated wages. Thereafter, her service was not engaged by the respondents.

5. Therefore, the request made by the petitioner cannot be considered and this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

01.09.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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G.K.ILANTHIRAIYAN, J.

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To

1. The Chairman and Managing Director,
Tamil Nadu State Literacy Mission Authority,
Directorate of Non-Formal and Adult Education,
Chennai.
2. The Secretary,
State Resource Center for
Adult and continuing Education,
Ministry of Human resource Development.
Adiseshiah Bhavan, No. 20 First Street,
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