



DATED: 01.11.2023

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31155 of 2023

G.Raman .. Petitioner

Vs.

1. The State of Tamil Nadu
Represented by its Secretary
Revenue Department
Fort St. George
Chennai – 600 009.
2. The Secretary to Government
Personnel, Administrative and Reforms Department
Government of Tamil Nadu
Fort St. George, Chennai – 600 009.
3. The Secretary to Government
Labour and Employment Department
Government of Tamil Nadu
Fort St. George, Chennai – 600 009.
4. The District Collector
Kallakurichi District.
5. Thoppukkaran .. Respondents



W.P.No.31155 of 2023

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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the fourth respondent to conduct enquiry against the appointment of the fifth respondent as Village Administrative Officer on compassionate ground on the basis of the petitioner's representation dated 28.07.2022 preferred to the fourth respondent in accordance with law.

For the Petitioner : Mr.S.Mohamed Ansar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for R1 to R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.S.Mohamed Ansar, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for respondents 1 to 4.

2. The petitioner is challenging the appointment of the fifth respondent on compassionate ground.



W.P.No.31155 of 2023

WEB COPY

3. Learned counsel for the petitioner submits that the petitioner has given a representation on 28.07.2022 to conduct an enquiry and take necessary action against the appointment of the fifth respondent as a Village Administrative Officer. The fifth respondent is appointed on compassionate ground. The same cannot be hereditary. The selection process has been bypassed and the appointments are given.

4. The petitioner does not claim to have been aggrieved. The policy of compassionate appointment is with the object to provide immediate succour to the family of the deceased dying in harness.

5. The father of the fifth respondent has died. In his place, the fifth respondent has been appointed on compassionate ground. Only because the fifth respondent's grandfather was also working on the said post, that would not be sufficient to imply malafides. Moreover, the petitioner is not affected. Public interest litigation cannot be entertained in such matters.



W.P.No.31155 of 2023

WEB COPY

6. The writ petition, accordingly, stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

01.11.2023

Index : Yes/No
Neutral Citation : Yes/No

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W.P.No.31155 of 2023

WEB COPY

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W.P.No.31155 of 2023

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