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W.A.(MD) No.132 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD) No.132 of 2023

R.Karthikeyan

... Appellant

-vs-

1.The Managing Director
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited
New Railway Station Road
Kumbakonam

2.The General Manager
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited
Karaikudi Region
Karaikudi

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 15.12.2022, passed in W.P.(MD) No.28198 of 2022, on the file of this Court.



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For Appellant : Mr.D.Venkatachalam

For Respondents : Mr.K.Jagadeesh Balan

J U D G M E N T

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

This writ appeal is directed against the order of the learned Single Judge, dated 15.12.2022, passed in W.P.(MD) No.28198 of 2022.

2. The appellant's father served as a Conductor in the respondent – Transport Corporation and he died on 20.05.2017, while he was in service. Admittedly, the appellant was a minor on the date of death of his father. However, he has not filed any application seeking appointment on compassionate ground within a period of three years from the date of death of the deceased employee, as stipulated under the scheme of compassionate appointment. The appellant submitted an application only on 21.11.2022, after a lapse of five years from the date of death of his father / employee. Though the appellant reached the age of majority within a period of three years from the date of death of his father, he failed to submit any application. That being the factum, the appellant is not entitled to seek appointment as per



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the terms and conditions of the scheme of compassionate appointment and therefore, we do not find any reason to interfere with the order passed by the learned Single Judge, which is in consonance with the terms and conditions of the scheme of compassionate appointment.

3. Accordingly, the writ appeal is dismissed. No costs.

[S.M.S., J.]

[V.L.N., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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