



**W.P.(MD).No.21807 of 2021**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 07.07.2023**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD).No.21807 of 2021**

Vasuki

... Petitioner

Vs.

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

... Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to register the name of the petitioner's son's namely C.Gopinath S/o.Chinnadurai for compassionate appointment based on her representation dated 18.08.2021.

For Petitioner : Mr.V.Sukumar  
for Mr.Mark.J.Jackson

For Respondent : Mr.K.Jagadeesh Balan  
Standing Counsel



W.P.(MD).No.21807 of 2021

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### **ORDER**

The present writ petition has been filed for a Mandamus, directing the respondent herein to register the name of the petitioner's son namely C.Gopinath S/o.Chinnadurai for compassionate appointment based on her representation dated 18.08.2021.

2. Heard the learned Counsel for the petitioner as well as the learned Standing Counsel for the respondent and perused the materials available on record.

3. The petitioner's husband was served as a Senior Assistant in the Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Thanjavur. During service, the petitioner's husband died on 15.03.2008. At the time of death of the petitioner's husband, the petitioner's son was a minor, aged about 11 years. Hence, the petitioner has made a representation dated 18.08.2021 seeking for compassionate appointment for her son to the respondent. Since the same was not considered by the respondent, this writ petition came to be filed.



W.P.(MD).No.21807 of 2021

WEB COPY

4. Counter has also been filed on behalf of the respondent. The learned Counsel for the petitioner pressed for allowing this writ petition.

5. Per contra, the learned Standing Counsel for the respondent vehemently objected to the same on the ground that, the application has been made after a lapse of twelve years from the date of death of the employee. It is pertinent to mention here that the mandates of G.O.Ms.No.18 dated 23.01.2020 is the applicable Government Order to deal with this issue. In terms of the mandates of the said G.O, a period of limitation to make an application for appointment on compassionate ground is three years and the crucial date should be reckoned from the date of death of the employee. Since the application has been made after a lapse of twelve years, this Court is of the considered view that the application cannot be considered positively by the respondent and in view of the same, this Court is inclined to dismiss this writ petition.

6. In the result, this Writ Petition stands dismissed. There shall be no order as to costs.

**07.07.2023**



W.P.(MD).No.21807 of 2021

NCC : Yes / No  
Index : Yes / No  
Internet : Yes/ No  
BTR

To

The Managing Director,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Limited,  
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Kumbakonam,  
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**W.P.(MD).No.21807 of 2021**

**L.VICTORIA GOWRI, J.**

BTR

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