



W.A(MD)No.534 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.A(MD)No.534 of 2022

Gowtham

... Appellant/Petitioner

-VS-

1.The Director,
Directorate of Public Libraries,
No.737/1, Anna Salai,
Chennai – 600 002.

2.The District Collector,
Sivagangai District.

3.The District Library Officer,
O/o.District Library Office,
Sivagangai District.

... Respondents/Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order dated 07.03.2022 made in W.P(MD)No.14996 of 2021.

For Appellant : Mr.C.Senthil Murugan

For Respondents : Mr.D.Sadiq Raja,
Additional Government Pleader



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JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

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Being aggrieved by the order of the Writ Court, dated 07.03.2022 made in W.P(MD)No.14996 of 2021, the appellant/writ petitioner has filed this writ appeal.

2. Though the challenge in the writ petition was to the order dated 05.07.2021, we find that the said order refers to the proceedings of the Director of Libraries bearing No.9430/A4/2001, dated 04.08.2009 rejecting the request of the petitioner for compassionate appointment. The proceedings, dated 05.07.2021, is not a fresh rejection. It only reiterates the earlier rejection. In the absence of challenge to the earlier rejection, the subsequent order will not offer a cause of action to the petitioner to move a writ petition under Article 226 of the Constitution of India. For this reason as well as the reasons assigned by the Writ Court namely the application having been filed beyond three years from the date of death of the employee, the writ appeal fails and it is accordingly, dismissed. No Costs.

[R.S.M., J.]

[L.V.G., J.]

28.04.2023

NCC :Yes/No
Index :Yes/No
PM



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