



W.P.(MD).No.27525 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

**W.P.(MD).No.27525 of 2023
and WMP(MD).No.23633 of 2023**

W.Steevson Alber

...Petitioner

Vs

1.The District Collector
Kanyakumari District Collector
Kanyakumari

2.The Chief Education Officer
Nagercoil
Kanyakumari District

3.The Assistant Education Officer
Rajakumangalam Range
Kanyakumari District

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of impugned order of the second respondent in Na.Ka.No.11105/A1/2019 dated 25.07.2023 and quash the same as illegal and unconstitutional, consequently direct the respondents to provide suitable employment to the petitioner under compassionate ground within the time that may be stipulated by this Court.



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For Petitioner : Mr.P.T.Ramesh Raja

For Respondents : Mr.N.GA.Natraj
Government Advocate

ORDER

The present writ petition has been filed challenging an order passed by the second respondent herein wherein the request of the petitioner for compassionate appointment has been rejected.

2.The petitioner's mother who was working as a Secondary Grade Teacher in the Government Middle School had passed away on 04.03.2016 while she was in service. The petitioner as a legal heir, had sought for compassionate appointment. The said request has been rejected under the impugned order.

3.A perusal of the impugned order clearly indicates that if any one of the family members is employed in the Government Department, the legal heirs of the deceased person would not be entitled to get compassionate appointment.



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4.In the present case, the petitioner's wife is a Staff Nurse in Government Primary Health Centre. Therefore, this Court does not find any illegality or infirmity in the order impugned in the writ petition. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.11.2023.

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
msa



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To

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R.VIJAYAKUMAR, J.

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