



WEB COPY



W.P.No.2474 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.2474 of 2024
and W.M.P.No.2703 of 2024

N.N.Muthukumaran

... Petitioner

-Vs-

1. The State of Tamil Nadu,
represented by its Agricultural Production
Commissioner and Principal
Secretary to Government,
Agriculture-Farmers Welfare Department,
Secretariat,
Fort St.George,
Chennai-600 009.
2. The Commissioner of Agriculture,
Office of the Commissioner of Agriculture,
Chepauk,
Chennai 600005.
3. The Joint Director of Agriculture,
Office of the Joint Director of Agriculture,
Collectorate Backside, Indira Nagar,
Dharmapuri, Tamil Nadu 636701.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned communications in Ka. En. ANP6 / 144432 / 2015 dated 03.10.2023 and Ka. En. A2 / 8876 / 20100 dated 12.12.2023, passed by



W.P.No.2474 of 2024

the second and third respondents herein and quash the same as illegal, arbitrary and unreasonable and consequently direct the respondents to grant appointment to the petitioner herein on compassionate grounds, in accordance with his educational qualifications.

For Petitioner : Mr.Akshai Sajin Kumar V.L

For Respondents : Mr.K.Tamilvendan
Government Advocate

ORDER

This writ petition has been filed calling for the records pertaining to the impugned communications in Ka. En. ANP6 / 144432 / 2015 dated 03.10.2023 and Ka. En. A2 / 8876 / 20100 dated 12.12.2023, passed by the second and third respondents herein and quash the same as illegal, arbitrary and unreasonable and consequently directing the respondents to grant appointment to the petitioner herein on compassionate grounds, in accordance with his educational qualifications.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner's father was holding the post of Godown Manager (Grade III) at Marandahalli, Sub-Agricultural Extension Centre. He passed



W.P.No.2474 of 2024

away in harness, on 27.01.2002. Immediately, the petitioner's mother applied for appointment on compassionate ground. The respondents communicated that she was only eligible to be appointed as Masalchi/Mazdoor. However, there was a ban and as such, they cannot appoint the petitioner's mother on compassionate ground. Immediately, after lifting of the ban, his mother submitted another application dated 25.05.2007 seeking compassionate appointment. It was also rejected stating that the recruitment process for positions like Masalchi/Mazdoor was being outsourced to third parties. Therefore, the compassionate appointment for the said post is unfeasible. Thereafter, the petitioner attained majority and as such, the petitioner applied for compassionate appointment. When his mother's application was rejected, once again, the petitioner cannot seek any appointment and as such, the application was also rejected in the year 2015.

4. Now, the petitioner, once again approached the respondents seeking compassionate appointment. After a period of 22 years, the representation submitted by the petitioner seeking compassionate appointment cannot be considered and this Court finds no infirmity or illegality in the impugned orders passed by the second and third respondents and this writ petition is devoid of merits and is liable to be dismissed.



W.P.No.2474 of 2024

WEB COPY 5. Accordingly, this writ petition is dismissed. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

05.02.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order
mn



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W.P.No.2474 of 2024

To

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Commissioner and Principal
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G.K.ILANTHIRAIYAN. J,

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W.P.No.2474 of 2024

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