



W.P.No.4019 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.02.2024

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

W.P.No.4019 of 2024

T.Suganya

...Petitioner

Vs.

- 1.The Government of Tamilnadu,
Rep. by Secretary to School Education Department,
Secretariat, Chennai 600 009
- 2.The Director of School Education,
DPI Compound, College Road,
Chennai 600 006
- 3.The Joint Director of School Education,
DPI Compound, College Road,
Chennai 600 006
- 4.The Chief Educational Officer,
Erode District, Erode-2
- 5.The District Educational Officer,
Erode Educational District,
Erode – 2
- 6.The Headmaster,
Government High Secondary School,
Railway Colony Municipality School,
Erode-2

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for records relating to the impugned order made in Mu.Mu.No.59661/J4/2015 dated 06.07.2016 passed by the second respondent and consequential order passed by the fifth



W.P.No.4019 of 2024

respondent in Mu.Mu.No.2837/A1/2015 dated 04.08.2016 and quash the same and consequently direct the respondents to issue the compassionate appointment to the petitioner for death of her father (V.Tulasimani) dated 06.05.2006.

For Petitioner : Mr.K.Karthikeyan

For Respondents : Mrs.S.Mythereye Chandru,
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 06.07.2016 and the consequential order passed by the fifth respondent dated 04.08.2016, thereby rejected the request made by the petitioner to appoint her on compassionate ground on the death of his father.

2. The petitioner's father was working as PG Tamil Teacher in the sixth respondent school. While working, he died due to harness on 06.05.2006. At the time of his demise, the petitioner had completed only 10th standard and she was only minor and therefore, her mother applied for compassionate appointment for the petitioner on 20.11.2006. Thereafter, the petitioner's mother was also asked to submit certain documents and also no objection certificate from the other legal heirs of the petitioner's deceased



W.P.No.4019 of 2024

father. Thereafter, the said request was rejected by the second respondent in Na.Ka.No.96659/J4/2013 on 27.06.2014. It was communicated by the fifth respondent through the sixth respondent to the petitioner by the proceedings in Mu.Mu.No.1098/A1/2009 dated 14.07.2014. Once again, the petitioner submitted representation to the fifth respondent through the sixth respondent seeking compassionate appointment due to the death of her father and the same was forwarded to the second respondent. While pending the said request, the petitioner approached this Court in WP.No.1032 of 2024 for direction directing the respondents to consider the request made by the petitioner for compassionate appointment. However, this Court dismissed the writ petition by an order dated 18.01.2024 on the ground that already the request made by the petitioner was rejected and without challenging the said order, the subsequent request made by the petitioner cannot be considered and dismissed the writ petition. Therefore, once again the petitioner filed this writ petition challenging the order dated 06.07.2016 and the consequential order dated 04.08.2016.

3. Heard, the learned counsel appearing on either side.

4. On perusal of those orders, revealed that the petitioner is



W.P.No.4019 of 2024

qualified with MCA and also attended interview in a private concern.

Though the learned counsel for the petitioner contended that the petitioner had not joined in the said private concern after attending interview, it is seen that her father died on 06.05.2006 and at that time, the petitioner was minor. Her request was rejected on 06.07.2016 and the family of the petitioner is also not in impoverishment. Therefore, after period of eighteen years, the case of the petitioner cannot be considered for compassionate appointment. Further, the request made by the petitioner was rejected in the year 2016 itself and the subsequent request was also rejected by this Court. Hence, this Court finds no infirmity or illegality in the orders passed by the second respondent and the fifth respondent. As such, this writ petition is devoid of merits and liable to be dismissed.

5. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

20.02.2024

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W.P.No.4019 of 2024

To

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W.P.No.4019 of 2024

G.K.ILANTHIRAIYAN, J.

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W.P.No.4019 of 2024

20.02.2024