



WEB COPY



W.P.No.8516 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.BHARATHA
CHAKRAVARTHY**

Writ Petition No.8516 of 2024

J.Rajesh,
S/o.Jeganathan

... Petitioner

Vs.

1. The Director,
Department of Public Health and Preventive Medicine,
Chennai – 600 006.

2. The Deputy Director of Health Service,
Cuddalore District.

3. The District Medical Officer,
Primary Health Center,
Marungoor, Cuddalore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, calling for the records of the impugned order of the 2nd respondent in Na.Ka.No.6506/A2/2011 dated 18.08.2022 and quash the same and issue consequential direction to the respondents to give appointment to the petitioner on the compassionate ground based on the application dated 23.02.2011.



W.P.No.8516 of 2024

For Petitioner : Mr.Karan and Uday

For Respondents : Mr.M.Bindran,
Additional Government Pleader

ORDER

The writ petitioner challenges the order dated 18.08.2022, in and by which, the compassionate appointment is refused to the petitioner.

2. It can be seen that the father of the petitioner viz., Jeganathan was working as a Lab Assistant and died in harness while in service as on 27.02.2009. At the relevant point of time, the petitioner was a minor. However, in this case an application for appointment on compassionate basis was made within a period of three years i.e., on 23.02.2011 itself. However, as on date of the application, the petitioner was minor. Even though the learned counsel for the petitioner submits that the application has been rejected belatedly, upon verification of the age, it can be seen that the petitioner did not attain the majority within three years from the date of death of his father.

3. The question has now been well settled, hence, this Court is not in a position to grant any relief to the petitioner.

4. The learned counsel for the respondents would also rely upon



W.P.No.8516 of 2024

the G.O.Ms.No.33, Labour Welfare and Skill Development (Q1)

Department, dated 08.03.2023 to contend that the petitioner is not eligible.

5. In view thereof, this Court unable to grant any relief to the petitioner and accordingly, finding no merits, this writ petition is dismissed. No costs.

01.04.2024

Index: Yes
Speaking Order: Yes
Neutral Citation: No
mp

To

1. The Director,
Department of Public Health and Preventive Medicine,
Chennai – 600 006.
2. The Deputy Director of Health Service,
Cuddalore District.
3. The District Medical Officer,
Primary Health Center,
Marungoor, Cuddalore District.

D.BHARATHA CHAKRAVARTHY, J.



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