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W.P.No.19220 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2024

CORAM:

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

W.P.No.19220 of 2024

T.Seetha

...Petitioner

-Vs-

The Director,
Directorate of Indian Medicine
and Homeopathy,
Arumbakkam,
Chennai 600 106.

...Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, call for the records relevant to the order in Ref.No.8177/E2/2/2010 dated 01.09.2022 passed by the respondent and quash the same as illegal, improper, arbitrary and against the natural justice and thereby direct the respondent to consider the petitioners representation dated 29.03.2021, to appoint the petitioner's son namely T.Anojith Kumar in the respondent department in any one of the post according to his educational qualification under the compassionate ground without any further delay.

For Petitioner : Mr.R.Suryaprakash

For Respondent : Mr.M.Brindan

Additional Government Pleader



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ORDER

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This Writ Petition has been filed challenging the order dated 01.09.2022, thereby rejected the request made by the petitioner seeking appointment to her son on compassionate ground.

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

3. The petitioner's husband was working as Selection Grade Assistant in the office of the respondent and died on 25.12.2009, leaving behind the petitioner and her son. At that juncture, the petitioner's son was aged about 11 years. Thereafter, the petitioner submitted a representation seeking employment on compassionate ground. However, it was not considered and as such, after attainment of majority of her son, the petitioner, once again applied for employment for her son on the ground of compassionate appointment.

4. The learned counsel for the petitioner relied upon the Government Order in G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department dated 08.03.2023. Accordingly, alternative application can be made



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to nominate any other member of the family subject to eligibility in the order of priority specified in Sub-Rule (2) of Rule 3.

5. Whereas, in the case on hand, the petitioner's husband died in the year 2009 and she made an application seeking employment for her son in the year 2021. That apart, when the petitioner submitted an application seeking employment for her, she did not take any steps to pursue her application. After a period of 12 years from the date of demise of her husband, the petitioner sought for alternative employment for her son.

6. Therefore, the request made by the petitioner seeking appointment on compassionate ground was rightly rejected by the respondent and this Court finds no infirmity or illegality in the order passed by the respondent and the writ petition is devoid of merits and is liable to be dismissed.

7. Accordingly, this writ petition stands dismissed. No costs.

18.07.2024

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J,

mn

To

The Director,
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