



W.P.No.17311 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17311 of 2024

M.Nallathambi

... Petitioner

Vs

1. Government of Tamil Nadu,
represented by Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai – 600 009.
2. The Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.
3. The District Collector,
Salem District, Salem.
4. The Revenue Divisional Officer,
Salem.
5. The Tahsildar,
Salem Taluk, Salem.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the respondents to consider



W.P.No.17311 of 2024

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and pass orders within a limited time frame on the petitioner's claim for appointment on compassionate ground as Village Assistant consequent on the demise of his adopted father Thiru P.Mariappan, who was serving as Village Assistant at Alagapuram Village, Salem Taluk and District on 31.08.2003.

For Petitioner : M/s. T.Subhiksha

For Respondents : Mr. S.Balamurugan,
Government Advocate

ORDER

The Writ Petition has been filed to direct the respondents to consider the claim of the petitioner seeking appointment on compassionate grounds as Village Assistant, consequent upon the demise of his adopted father Thiru P.Mariappan, who was serving as Village Assistant at Alagapuram Village, Salem Taluk and District on 31.08.2003.

2. The petitioner is the adopted son of the said P.Mariappan, who was serving as Village Assistant in Alagapuram Village, Salem Taluk and District and he died on 31.08.2003. Therefore, the petitioner and his



W.P.No.17311 of 2024

biological father made an application seeking compassionate appointment on 06.10.2003. It was not considered and as such, the petitioner approached this Court by way of Writ Petition in W.P. No. 15556 of 2011 and as directed by this Court on 01.07.2011, the fifth respondent submitted a report dated 15.05.2012, thereby recommending the case of the petitioner for appointment on the compassionate grounds. However, so far, no order has been passed.

3. From the records, it reveals that the petitioner is claiming to be the adopted son of the said P.Mariappan. However, so far, he has not produced any Deed of Adoption to claim the appointment on compassionate grounds. That apart, on a perusal of the legal heirship certificate, it is seen that the the petitioner's father is only the legal heir of the deceased said P.Mariappan, who is none other his own brother. Therefore, the representation submitted by the petitioner cannot be considered and the Writ Petition is devoid of merits and it is liable to be dismissed.



W.P.No.17311 of 2024

4. In the result, this Writ Petition is dismissed. No costs.

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03.07.2024

Index:Yes/No
Neutral Citation/Yes/No
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To

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W.P.No.17311 of 2024

G.K.ILANTHIRAIYAN, J.

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W.P.No.17311 of 2024

03.07.2024