



W.P.No.20294 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.01.2024

Coram:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.20294 of 2021

G.Kaviarasu

... Petitioner

-vs-

1. The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department,
Fort St.George, Secretariat, Chennai – 600 009.

2. The Chief Educational Officer,
Nagapattinam District, Nagapattinam.

3. The District Educational Officer,
Sirkazhi Education District,
Sirkazhi, Nagapattinam District.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to pass order for granting appointment on compassionate ground based on the eligible qualification of the petitioner in the post of Junior Assistant by considering the representations submitted by the petitioner dated 16.05.2009 and 25.09.2011 within a time frame to be fixed by this Hon'ble Court.



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For Petitioner : Mr.S.Nedunchezhiyan

For R1 to R3 : Mr.Yogesh Kannadasan, SGP

ORDER

This Writ Petition has been filed praying to issue a Writ of Mandamus directing the respondents to pass an order for granting appointment on compassionate ground based on the eligible qualification of the petitioner in the post of Junior Assistant by considering the representations submitted by the petitioner dated 16.05.2009 and 25.09.2011 within a time frame to be fixed by this Court.

2. Heard Mr.S.Nedunchezhiyan, the learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, the learned Special Government Pleader appearing for the respondents.

3. The petitioner who is the son of the deceased P.R.Ganesan, who employed as Record Clerk in the Government Higher Secondary School, Aathoor, Maiyladuthurai Education District, has come with the writ petition



seeking a direction for appointment on compassionate grounds. The father of the petitioner was working as Record Clerk in the Government Higher Secondary School, Aathoor, Maiyladuthurai and died on 23.07.2006 in harness. The deceased employee left his wife and three children as his only surviving legal heirs.

4. The learned counsel appearing for the petitioner submitted that subsequent to the death of his father, the petitioner has submitted his representation seeking compassionate appointment on 16.05.2009. According to the learned counsel appearing for the petitioner, the said representation has been dismissed on 24.06.2010 by stating the reason that he has not attained the age of majority. After attaining majority, the petitioner has given another representation on 25.09.2011, but the same is still pending without any consideration.

5. Since the earlier request was rejected in view of his minority on the date of the death of his father and now he attained majority and re-presented his representation, the respondents can consider the representation of the petitioner dated 25.09.2011 for passing any order.



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6. In the result, this Writ Petition is disposed and the respondents are directed to consider the representation of the petitioner dated 25.09.2011 on its own merit and in accordance with the rules governing the scheme and pass an appropriate orders within a period of six weeks from the date of receipt of a copy of this order. No costs.

10.01.2024

Index:yes/no

Neutral Citation:yes/no

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To:

1. The Principal Secretary to Government,
The State of Tamil Nadu,
School Education Department,
Fort St.George, Secretariat, Chennai – 600 009.
2. The Chief Educational Officer,
Nagapattinam District, Nagapattinam.
3. The District Educational Officer,
Sirkazhi Education District,
Sirkazhi, Nagapattinam District.



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R.N.MANJULA,J.
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