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W.P.No.21093 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21093 of 2024
and
W.M.P. No. 23034 of 2024

P.Janarthanan

... Petitioner

Vs

1. The Secretary to the Government of Tamil Nadu,
Department of Transport,
Secretariat, Chennai – 600 009.

2. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No. 12, Ramakrishna Salai,
Salem District – 636 007.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to call for the records of the second respondent prayed in letter Ka. No: E4/0643/PP/TNSTC/Salem/2024 dated 23.02.2024, quash the same and direct the respondents to provide petitioner a suitable appointment in the Tamil Nadu State Transport Corporation (Salem) Limited on the ground of compassionate.



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For Petitioner : Mr. G.Kesavan
For Respondents : Mr. V.P.R.Elamparithi,
Additional Government Pleader (for R1)
Mr. K.Raja,
Standing Counsel (for R2)

O R D E R

With the consent of both sides, this Writ Petition has been taken up for disposal at the admission stage itself.

2. This Writ Petition has been filed challenging the order dated 23.02.2024 passed by the second respondent, thereby rejecting the request made by the petitioner seeking appointment on compassionate grounds.

3. The petitioner's father, while working as a Senior Tradesman under the second respondent, died on 23.09.2010. Immediately, the petitioner submitted a representation to the second respondent seeking employment on compassionate grounds. However, there is no proof to show that the petitioner submitted the representation immediately after the demise of his father. By communication dated 07.12.2016, the second respondent



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directed the petitioner to come for an enquiry with all required documents.

Thereafter, the petitioner produced all documents. However, it was not considered, and as such, the petitioner was constrained to file a Writ Petition in W.P. No. 33726 of 2023 before this Court. As directed by this Court, the second respondent considered the request made by the petitioner and rejected the same on the grounds that the petitioner is over-aged and also that the request made by the petitioner cannot be considered for appointment on compassionate grounds after a period of 14 years.

4. It is seen from the records, it reveals that the purpose of giving employment on compassionate grounds is to rescue the family from a sudden change in their financial position. After a period of 14 years, it cannot be said that the petitioner's family is in the same position; they have survived for the past 14 years after the demise of his father. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent.



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5. In the result, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

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

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G.K.ILANTHIRAIYAN, J.

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