



WEB COPY



W.P.No.19794 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.19794 of 2020

E.Mani

...Petitioner

-Vs-

1.The District Collector,
Noon Meal Section (Direct Personal Assistant),
Vellore-9.

2.The Commissioner,
Tirupattur Panchayat Union,
Tirupattur.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorarified Mandamus, calling for the records relating to the order of the 1st Respondent in Na.Ka.No.272/2018/BG1 dated 19.08.2020 and quash the same and issue consequential direction directing the 1st Respondent to provide employment to the petitioner on compassionate ground.

For Petitioner : Mr.Karan and Uday

For 1st Respondent : Mr.M.Rajendiran

Additional Government Pleader

For 2nd Respondent : Mr.R.S.Selvam

ORDER

This writ petition is filed for issuance of a Writ of Certiorarified



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Mandamus, calling for the records relating to the order of the 1st Respondent in Na.Ka.No.272/2018/BG1 dated 19.08.2020 and quash the same and issue consequential direction directing the 1st Respondent to provide employment to the petitioner on compassionate ground.

2. The case of the petitioner is that the petitioner's mother was worked as Noon Meal Worker in Panchayat Union Middle School, Marimanikuppam Village at Tirupattur and she died while in service and the application for Compassionate Appointment has to be submitted within three years on or before 18.10.2016, whereas, the petitioner has submitted only on 03.04.2017. The petitioner has submitted his application on 21.05.2020 and 19.08.2020 to the respondents for compassionate appointment. The respondents rejected his application for belated submission. Hence this writ petition.

3. The learned counsel for the petitioner submits that the petitioner's mother was worked as Noon Meal Worker in Panchayat Union Middle School, Marimanikuppam Village at Tirupattur and she died while in service and the application for Compassionate Appointment has to be submitted within three years on or before 18.10.2016, whereas, the petitioner



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has submitted only on 03.04.2017. The petitioner has submitted his application on 21.05.2020 and 19.08.2020 to the respondents, but the same was not considered by the respondents. Hence, the petitioner has filed this Writ Petition before this Court.

4. The learned Additional Government Pleader appearing for the respondents submits that the applications were belatedly submitted by the petitioner and the applications are not submitted within a stipulated time prescribed in the Rules.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. The petitioner's mother has worked as Noon Meal Worker in Panchayat Union Middle School, Marimanikuppam Village at Tirupattur, she died while in service and the application for Compassionate Appointment has to be submitted within three years on or before 18.10.2016, whereas, the petitioner has submitted only on 03.04.2017. The petitioner submitted his application belatedly after the prescribed period of three years in the Rules.



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Apart from this, at the time of filing this writ petition he was aged about 51 years, based on this ground also he is not eligible for the compassionate appointment.

7. In view of the above factual matrix of the case, the prayer sought for in the writ petition cannot be granted / considered by this Court.

8. In the result, this writ petition stands dismissed with the above observations. No costs.

19.11.2024

ssn

Index : Yes/No

Speaking/Non Speaking order

To

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