



Writ Petition No.25661 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.25661 of 2024

C.Selvan
S/o.Chinnaraj

... Petitioner

Vs.

1.Government of Tamil Nadu,
represented by its
Secretary to Government,
Environment and Forest Department,
Fort St.George, Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
(Head of Forest Force),
Velachery Main Road, Guindy,
Chennai - 600 032.

3.The District Forest Officer,
Thiruvannamalai.

4.Conservator of Forests,
Vellore - 9.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to consider the petitioner for compassionate appointment to the post of office assistant without insisting the age limit one month eleven days as per Tamil Nadu Government Servants Conditions of



Writ Petition No.25661 of 2024

Service Act 2016, Rule 20 sub clause (8)(i) by considering the appeal dated 06.08.2024 on the basis of the recommendation made by the fourth respondent in Na.Ka.No.P3/795/2024, dated 01.02.2024 for compassionate appointment by giving age relaxation if necessary.

For Petitioner : Mr.S.Mani

For Respondents : Mr.K.Suresh,
Government Advocate

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to consider the petitioner's representation wherein the petitioner has sought for compassionate appointment to the post of Office Assistant.

2. Heard Mr.S.Mani, learned counsel for petitioner and Mr.K.Suresh, learned Government Advocate appearing for respondents.

3. The case of the petitioner is that his father was working as Forest Watcher and he died in harness on 24.05.2005. The mother of the petitioner applied for compassionate appointment and she was appointed as a cook on compassionate ground on 03.08.2016. The mother of the



Writ Petition No.25661 of 2024

petitioner became seriously ill and she was allowed to retire from service due to medical invalidation on 25.02.2023.

4. The petitioner thereafter applied for the post of Office Assistant along with relevant documents and he is seeking for appointment on compassionate ground.

5. In the considered view of this Court, there is no rule of perpetuity to appoint persons belonging to the same family on compassionate ground. An appointment on compassionate ground is provided in case of sudden demise of a member of the family, who was earning and taking care of the family. Already, the mother of the petitioner was provided with appointment on compassionate ground. She retired from service in the year 2023. Now, the baton cannot go into the hands of the petitioner and the petitioner cannot seek for compassionate appointment. Therefore, the relief sought for by the petitioner is totally unsustainable and cannot be granted.

N.ANAND VENKATESH, J

gm



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Writ Petition No.25661 of 2024

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

02.09.2024

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St.George, Chennai - 600 009.
- 2.The Principal Chief Conservator of Forests,
(Head of Forest Force),
Velachery Main Road, Guindy,
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- 3.The District Forest Officer,
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- 4.The Conservator of Forests,
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