



W.P.(MD) No.6452 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.6452 of 2024

M.Sivasaraniyan

.. Petitioner

Vs.

The General Manager,

Tamil Nadu State Transport Corporation(Madurai) Ltd.,

Madurai Region,

Bye-pass Road,

Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to appoint the petitioner in a suitable post on compassionate ground within a period that may be stipulated by this Court.

Page No.1/6



W.P.(MD) No.6452 of 2024

WEB COPY

For Petitioner : Mr.G.M.Xavier

For Respondent : Mr.Gladson Michael Rajadurai
Standing Counsel

ORDER

The petitioner has filed this Writ Petition seeking a Writ of Mandamus to direct the respondent to appoint the petitioner in a suitable post on compassionate ground within a period that may be stipulated by this Court.

2. Heard Mr.G.M.Xavier, learned counsel for the petitioner, and Mr.Gladson Michael Rajadurai, learned Standing Counsel for the respondent.

3. The petitioner sent an application to consider him for compassionate appointment due to the death of his father who died on 20.02.2010 in harness. It appears that the petitioner's mother has

Page No.2/6



W.P.(MD) No.6452 of 2024

submitted her explanation as early as on 02.09.2022. However, it is claimed that within three years period from the death of his father his mother submitted an application. The family of the deceased employee had comprised of his wife and two children along with the his mother. The petitioner's mother was very young and the petitioner and his sister were also just 9 years and 6 years old respectively at the time of the death of his father. On considering the application submitted by the petitioner's mother, the respondent had sent a communication dated 19.10.2021 for certificate verification. The petitioner's mother did not appear as requested and thereafter the petitioner had sent his application. No two dependents of a deceased servant can get the benefit of compassionate appointment scheme.

4. At the time of the death of the petitioner's father, his mother was eligible to get compassionate appointment. She ought to have given the application within the prescribed time. As seen from the records, the petitioner's mother also had given an application for



W.P.(MD) No.6452 of 2024

compassionate appointment but she had not chosen to appear before the authorities despite she was summoned so. Since the petitioner's mother could have got the order on the application submitted by her, the petitioner cannot resubmit another application and call for the respondents to consider the same.

5. With the above observation, this writ petition is dismissed. No Costs.

10.04.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PJL

To

1. The Chief Conservator of Forest,
Panagal Maligai,
Saidapettai, Chennai 15.

Page No.4/6



W.P.(MD) No.6452 of 2024

2. The Accountant General A &E,
Tamil Nadu, Chennai 18.

3. The District Forest Officer,
District Forest Officer,
Dindigul Collector Office Campus,
Dindigul.



WEB COPY



W.P.(MD) No.6452 of 2024

R.N.MANJULA, J.

PJL

**Order made in
W.P.(MD)No.6452 of 2024**

10.04.2024

Page No.6/6