



WEB COPY



Rev.Aplc.(MD).No.61 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 27.08.2024

PRONOUNCED ON : 20.09.2024

CORAM:

**THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR,
ACTING CHIEF JUSTICE
AND
THE HON'BLE MR JUSTICE R.VIJAYAKUMAR**

Rev.Application (MD).No.61 of 2024
and CMP(MD).No.6955 of 2024
in CMP(MD).No.15651 of 2023
in WA(MD).SR.No.83760 of 2023

1.The Government of Tamil Nadu
Represented by its Secretary to Government
Social Welfare and Nutritious Meal Programme
Department, Fort St. George
Chennai 9

2.The Commissioner
Social Welfare and Nutritious Meal Scheme Department,
Panagal Building, Second Floor, Saidapettai
Chennai 15

3.The District Collector
Thoothukudi District
Thoothukudi

4.The Commissioner
Panchayat Union
Tiruchendur

.....Review Applicants /Petitioners
/Appellants

Vs

....Respondent/Respondent/Respondent

S.Arun



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Prayer: Review Application is filed under Order 47 Rule 1 Section 114 r/w 151 of C.P.C, to set aside the review order passed by this Court in CMP(MD).No.15651 of 2023 in WA(MD).Sr.No.83760 of 2023 to allow the review petition.

For Petitioners : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by N.Satheesh Kumar
Additional Government Pleader

For Respondent : Mr.V.Kannan

ORDER

(Made by **R.VIJAYAKUMAR,J.**)

The present review application has been filed seeking to review the order passed by this Bench on 07.02.2024 wherein the prayer to condone the delay of 94 days in filing the writ appeal was rejected on the ground that the explanation offered by the State for condoning the delay was not satisfactory.

2.The grounds in the review application reveals that the review applicant had expressed regret for filing a patently wrong affidavit and have assigned the reasons for the delay in Ground No.8 of the review application.

3.Considering the fact that the concerned officer has expressed regret and proper reasons have been assigned, we are inclined to condone the delay on payment of cost of Rs.10,000/- to be paid to the 'High Court Legal Aid Services Committee' Madurai Bench of Madras High Court, Madurai.



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4.A perusal of the order of the learned Single Judge of this Court dated 07.07.2023 in W.P(MD).No.6186 of 2022 reveals that the writ petitioner's mother who was working as a Noon Meal Organizer had passed away and her son has sought for compassionate appointment. Since the legal heir is a male, his request has been rejected by the authorities. The Writ Court had quashed the order and has directed the authorities to include the name of the petitioner in the general list of persons waiting for compassionate appointment and offer him with an appropriate appointment when his turn comes.

5.Therefore, it is clear that the writ Court has only directed the District Collector to consider the request of the petitioner for appointment under any one of the other schemes and not for any Government Employment that too based upon the seniority. Therefore, we do not find any reason to interfere in the order of the writ Court.

6.With the above said observation, this Review Application stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(D.K.K., ACJ.)

(R.V.J.,)

20.09.2024

Index :Yes/No
Internet :Yes/No
NCC : Yes/No
msa



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To
The High Court Legal Aid Services Committee
Madurai Bench of Madras High Court,
Madurai.



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D.KRISHNAKUMAR, ACJ.
AND
R.VIJAYAKUMAR,J.

msa

Pre-delivery Judgment made in
Rev.Application(MD).No.61 of 2024
and CMP(MD).No.6955 of 2024
in CMP(MD).No.15651 of 2023
in WA(MD).SR.No.83760 of 2023

20.09.2024