



W.P.(MD)No.16274 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.16274 of 2023 &
W.M.P.(MD)Nos.13628 & 13629 of 2023

R.Narayanan

... Petitioner

vs.

1.The Commissioner,
Corporation of Madurai,
Madurai.

2.The Assistant Commissioner (North Zone),
Corporation of Madurai,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the Impugned order No.A4 (Ma.Ni.20)/012835/2015 dated 19.12.2022 passed by the 2nd respondent and quash the same and direct the 2nd respondent to appoint the petitioner in any job within a stipulated time.



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For Petitioner : Mr.M.Vijayarathinam

For Respondents : Mr.S.Vinayak
Standing counsel

ORDER

Heard Mr.M.Vijayarathinam, learned counsel appearing for the petitioner and Mr.S.Vinayak, learned standing counsel appearing for the respondents.

2. The petitioner has filed this writ petition seeking to issue a Writ of Certiorarified Mandamus calling for the records relating to the Impugned order No.A4 (Ma.Ni.20)/012835/2015 dated 19.12.2022 passed by the 2nd respondent and quash the same and direct the 2nd respondent to appoint him in any job within a stipulated time.

3. The petitioner's father who worked as a Sweeper in the respondent Corporation died on 05.03.2010 while in service. Subsequently, the petitioner has made an application to the respondents on 15.12.2022 seeking compassionate appointment. However, the same



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was rejected on 19.12.2022 stating that the petitioner had given an application after a lapse of 12 years and hence, the rules does not permit to grant him an appointment on compassionate grounds.

4. Mr.M.Vijayarathinam, learned counsel appearing for the petitioner submitted that the petitioner had submitted an application for compassionate appointment immediately after the death of the petitioner's father, but, the same was not considered.

5. The petitioner has not produced any material to show that he has filed an application seeking compassionate appointment within three years from the date of death of his father. The petitioner's father died on 05.03.2010. Even if it is presumed that the petitioner has filed an application any time before 2022, it can be of the year 2016 as it appears from some of the communications. Even that is six years after the death of the petitioner's father. Obviously, under the compassionate appointment scheme, applications cannot be received beyond a maximum period of three years. Therefore, the second respondent has rightly



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rejected the application of the petitioner and I find no reason to interfere with the impugned orders of the second respondent.

6. In view of the above stated reasons, the writ petition is **dismissed**. No costs. Consequently, connected Miscellaneous Petitions are closed.

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NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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R.N.MANJULA, J.

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