



W.P.(MD)No.25140 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.25140 of 2019
and
W.M.P.(MD).No.21736 of 2019

R.Velavan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Fort St.George,
Chennai-9.

2.The District Officer,
Adi Dravidar and Tribal Welfare Department,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari and Mandamus, calling for the records of the first respondent in Lr.No. 1811/Aathina 7/2015-2, dated 23.03.2015 and as well as the order in Na.Ka.No.W4/670/2019 dated 11.01.2019 passed by the second respondent and quash the same as illegal and further more direct the respondents to consider and appoint the petitioner on compassionate ground within the stipulated time fixed by this Court.

For Petitioner : Mr.R.Rajaraman



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For Respondents : Mr.S.Kameswaran,
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned letter of the first respondent, dated 23.03.2015 as well as the order of the second respondent dated 11.01.2019, rejecting the petitioner's request for being appointed on compassionate grounds.

2. Under the impugned orders, the petitioner's request has been rejected on the ground that the petitioner had submitted an application seeking for compassionate appointment on account of death of his father, viz., S.Rathinam beyond the period of three years from the date of death of his father. The said Rathinam was employed as Headmaster in a School controlled by the Adidraavidar and Tribal Welfare Department. He died while in service on 30.11.1997. Admittedly, as seen from the application submitted by the petitioner, the said application was filed beyond the period of three years from the date of the death of his father. It is now settled law that if an application has been filed seeking for compassionate appointment beyond the period of three years from the date of death of the Government servant / employee, the said application cannot be considered.



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3. In view of the settled law, this Court is of the considered view that the impugned letter of the first respondent, dated 23.03.2015 as well as the order of the second respondent, dated 11.01.2019, have been issued only in accordance with law.

4. There is no merit in this Writ Petition and accordingly, the same stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

11.09.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG

To

1.The Principal Secretary,
State of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Fort St.George,
Chennai-9.

2.The District Officer,
Adi Dravidar and Tribal Welfare Department,
Trichy.



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ABDUL QUDDHOSE, J.

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