

W.P.No.4617 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.4617 of 2025

A. Sockan

... Petitioner

Vs

1. The Chief Secretary,
Government of Puducherry
Chief Secretariat,
Puducherry.

2. The Secretary of Government
Public Works Department
Government of Puducherry
Secretariat, Puducherry.

3. The Chief Engineer,
Public Works Department
Government of Puducherry
Puducherry.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Certiorarified Mandamus to call for the records of the respondents particularly the 3rd respondent impugned rejection letter dated 19.01.2018 and quash the same and consequently direct the respondents 1 to 3 particularly the third respondent to provide an employment opportunity and in the absence equally calculated compensated monetarily to the petitioner on the basis of the petitioner's representation dated 27.12.2016.



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For Petitioner : Mr.R.Thanjan

For Respondent : Mr.J.Kumaran
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondents particularly the 3rd respondent impugned rejection letter dated 19.01.2018 and quash the same and consequently direct the respondents 1 to 3 particularly the third respondent to provide an employment opportunity and in the absence equally calculated compensation monetarily to the petitioner on the basis of the petitioner's representation dated 27.12.2016.

2. The petitioner had given a representation on 27.12.2016. The petitioner on the date of filing of the writ petition was aged about 58 years. His father was an Ex-service man. The petitioner had registered himself with the Employment Office and expected employment to be given to him. He claimed that his mother had sent a representation on 26.03.2002 to the National Employment Service/Employment Exchange at Pondicherry seeking employment on the basis of disabled Ex-Service man /her husband. But however, a letter had been issued on 25.04.2002 that the National Employment had already recommended



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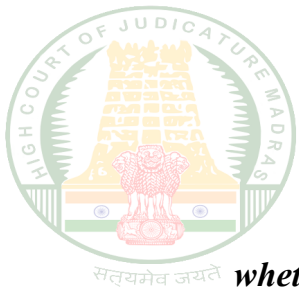
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the posts of Mechanic four times and there was a direction to give a necessary employment to the petitioner herein. It had been contended that though such recommendation had been made, the respondents by impugned letter had rejected the grant of employment to the petitioner herein.

3. In the impugned letter it had been contended that the petitioner had never applied for the posts of mechanic and if he had applied and was otherwise been eligible, certainly the petitioner would have been considered on merits but the petitioner had only registered himself in the employment exchange and then awaited that an employment should be granted to him. The petitioner also simultaneously claimed that he should be considered for employment on the basis that his father was an ex-service man. Even otherwise, the petitioner had crossed the age of 58 and therefore this factor would apply as on date. The petitioner is also certainly not in indigent circumstances.

4. The Hon'ble Supreme Court in a decision rendered very recently in the case of ***Canara Bank Vs Ajithkumar G.K.*** reported in ***2025 INSC 184*** had issued directions for considering grant of compassionate employment. One of the direction was to examine the financial condition of the family.

“31. Thus, examination of the financial condition to ascertain



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whether the respondent and his mother were left in utter financial distress because of the death of the bread earner is not something that can be loosely brushed aside.

5. In the instant case, there are no grounds raised in that regard. Even if it is to be considered, the petitioner had not applied for the post. It is clear that the petitioner cannot be considered for employment once he had crossed the age of 58 years. The petitioner had not applied for any employment and had not sought for any employment on the basis of any representation. He had only registered himself in the employment exchange.

6. Accordingly, the writ petition stands dismissed. No costs.

12.02.2025

dpq

Index : Yes /No

Speaking Order : Yes/No

To

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Chief Secretariat,
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2. The Secretary of Government
Public Works Department
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C.V.KARTHIKEYAN, J.

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