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W.P.No.16889 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.P.No.16889 of 2025

K.Anandha Babu

... Petitioner

Vs.

1. State of Tamil Nadu,
Represented by the Joint Director,
Tamil Nadu School Education Department,
No.17, DPI Campus, College Road,
Subba Road Avenue,
Nungambakkam,
Chennai - 600 034.
2. The Chief Educational Officer,
Chief Educational Office,
School Educational Department,
Dharmapuri - 636 705.
3. The District Educational Officer,
Block Development Office,
Harur - 636 903.
4. The Headmaster,
Government Higher Secondary School,
Veppampatty Post,
Harur Taluk,
Dharmapuri - 639 903.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of certiorarified mandamus, calling for the records of the 2nd respondent pertaining to his proceedings which is made Na.Ka.No.2794/A1/2019 dated 19.05.2022 and quash the same and consequently to direct the respondents to appoint the petitioner as Junior Assistant as recommended by the 3rd respondent.

For Petitioner : Mr.R.Malaichamy

For Respondents : Mr.S.Mythreye Chandru
Special Government Pleader
for R1 to R4

ORDER

The writ petition has been filed challenging the order dated 19.05.2022 passed by the second respondent Chief Educational Officer.

2. Learned Counsel appearing on behalf of the petitioner would submit that the petitioner's father worked as Office Assistant in the 4th respondent School and died in harness. Immediately after the demise of his father, within a period of three years, the petitioner's mother submitted an application to the respondent on 06.11.2003 seeking appointment for the petitioner on compassionate grounds. At that time, the petitioner was 17 years old. However, the said application was kept pending and disposed of



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only during 2022 on the ground that there was no documents submitted along with the application.

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3. Learned Special Government Pleader for the respondents would invite the attention of this Court to the report submitted by the District Education Officer, wherein there is a reference that the application submitted by the petitioner's mother was returned during 2004 for want of material particulars and she has submitted the material particulars only in the year 2019. It is the further submission of the learned Special Government Pleader that the very purpose of compassionate appointment is only to address the penurious situation of the employee immediately after his death. When the petitioner did not resubmit the application immediately after its return, it shows that the petitioner was not in penury. Therefore, there is no merit in the present writ petition.

4. Heard both sides and perused the materials available on record.

5. Learned Special Government Pleader would submit that though the application has been submitted within a period of three years, required



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documents have not been submitted and even after the return of application, the petitioner failed to resubmit the application for more than 16 years. It is further submitted that the impugned order was passed during 2022 and the challenge was made during 2025.

6. The compassionate appointment has to be made only in accordance with law and the guidelines provided for compassionate appointment. Long delay would definitely has to be find against the petitioner as it would go against the concept of compassionate appointment. Therefore, the present writ petition is devoid of merits on account of delay and latches.

7. In the result, the Writ Petition stands dismissed. No costs.

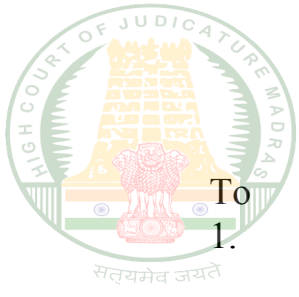
03.06.2025

veda

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No



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To
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C.KUMARAPPAN, J.

veda

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