



W.A(MD) No.1568 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 13.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) No.1568 of 2019

M.Gopinathan

... Appellant / Writ Petitioner

Vs.

The Executive Officer / Joint Commissioner,
Samayapuram Mariamman Temple,
Samayapuram,
Trichy District.

... Respondent / Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to allow the appeal and set aside the order of this Court made in W.P.(MD)No.22023 of 2015, dated 12.07.2019.

For Appellant : Mr.R.Murali

For Respondent : Mr.K.Govindarajan



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JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The appellant's father was working as watchman in the respondent temple. He passed away while in harness on 31.08.1996. During the relevant time, the appellant was a minor. The application for compassionate appointment was given only on 21.12.2005. The said request was subsequently rejected by the temple management vide order dated 31.10.2015. Challenging the same, the appellant filed W.P. (MD)No.22023 of 2015. The learned single Judge vide order dated 12.07.2019 dismissed the writ petition. Aggrieved by the same, this appeal has been filed.

3. Two aspects stand as Himalayan impediment for the appellant. The application for compassionate appointment should have been submitted within three years. In this case, there was a delay of 9 years. Secondly, during the relevant time, the appellant was a minor. We have

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been consistently holding that filling up the vacancy cannot be put on hold till the applicant attains minority. The order of the learned single Judge cannot be faulted.

4. The writ appeal is dismissed. No costs.

(G.R.S., J.) (K.R.S., J.)
13.08.2025

Index : Yes / No
Internet : Yes / No
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