
(2014) 07 MAD CK 0202
In the Madras High Court
Case No : W.P. (MD) No. 13362 of 2009

K. Jeyandrapandian

APPELLANT

Vs

The Joint Director

RESPONDENT

Date of Decision : 22-07-2014

Acts Referred:

Citation : (2014) 07 MAD CK 0202

Hon'ble Judges : S. Nagamuthu, J

Bench : Single Bench

Judgement

S. Nagamuthu, J.—The petitioner's father Mr. N. Kasi was working as a scavenger under the respondents. He died on 08.07.1981. Thereafter, the petitioner made an application seeking employment on compassionate ground. The first respondent, by his proceedings in Na.Ka. No. 10923/epgp3/05 dated 21.05.2008, has rejected the same on the ground that the petitioner did not make application within three years from the date of the death of the deceased. Challenging the said order, the petitioner is before this Court with this Writ Petition.

2. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and I have also perused the records carefully.

3. The learned Counsel for the petitioner would submit that it is not true that the petitioner did not make application within three years from the date of the death of the deceased seeking compassionate appointment. The learned Counsel would make an attempt to convince this Court that the said application was made in the year 1982. But unfortunately no document was available before this Court to believe the contention of the learned Counsel for the petitioner.

4. Apart from that, it is not only on the ground that the application was not made within three years from the date of the death of the deceased, but also the petitioner's request was rejected on the ground of age also. The petitioner's age

is 53 years. If any direction is issued to provide employment to the petitioner at this stage, it will be after 33 years after the death of the deceased. This Writ Petition was filed in the year 2009 i.e. after 28 years of the death of the deceased. The compassionate appointment cannot be equated to a reservation. The compassionate appointment is given under the scheme only to rescue the family of the deceased from financial distress. In this case, the petitioner's family has been able to pull on for more than 33 years. Therefore, at this stage, that too at the age of 53 years, the petitioner's request cannot be directed to be considered.

5. In such view of the matter, this writ petition fails and the same is accordingly dismissed. No costs.