



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 9265 of 2026

S.Mathan Kumar

..Petitioner(s)

Vs

1. The Managing Director
Tamilnadu State Transport corporation
(villupuram)Limited
No.3/137,Salamedu
Vazhudareedy post
Villupuram-605 602
2. The General Manager
Tamilnadu State Transport corporation
(villupuram)Limited
Tiruvannamalai Region
Tiruvannamalai District -606 601
3. The Branch Manager
Tamilnadu State Transport corporation
(villupuram)Ltd
Vandavasi Branch
Mathur Vandavasi Taluk
Tiruvannamalai District -604 408
4. The District Collector
Office of the District collector
Tiruvannamalai District
Tiruvannamalai -606 601

..Respondent(s)



Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to consider the representation of the petitioners letter dated 27.1.2026 and consequently allot compassionate appointment to the petitioner in accordance with the seniority list in the compassionate appointment grounds candidates list, without affecting or disturbing the existing seniority of the candidates in the said list, within a time frame.

For Petitioner(s): Ms.Rrayeesa Fathima

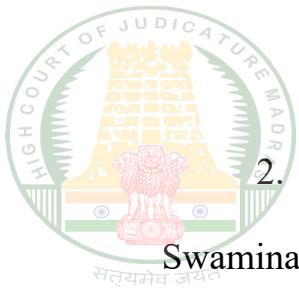
For Respondent(s): Ms..Pavithra, Standing Counsel for R.1 to R.3
Mr.AR Balaji, GA for R4.

ORDER

This Writ Petition has been filed for the following reliefs:-

“directing the 1st respondent to consider the representation of the petitioners letter dated 27.1.2026 and consequently allot compassionate appointment to the petitioner in accordance with the seniority list in the compassionate appointment grounds candidates list, without affecting or disturbing the existing seniority of the candidates in the said list, within a time frame.”

Brief Facts:-

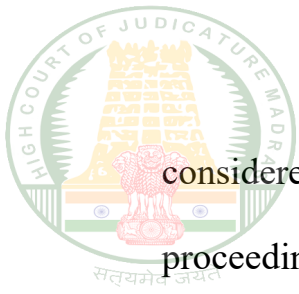


2. The petitioner is the son and one of the legal heirs of Late Swaminathan, who died in harness on 03.11.2008 while serving under the Tamil Nadu State Transport Corporation (Villupuram) Limited. After his death, the family was left in severe financial hardship. On 09.01.2009, a Legal Heirship Certificate dated was issued recognising the petitioner and other family members as the legal heirs of the deceased employee Swaminathan.

3. Immediately after the employee's death, the petitioner's mother, Tmt. S.Shankari, had submitted an application seeking compassionate appointment in the year 2009. At that point in time the petitioner was a minor.

4. As the petitioner's mother had become overaged and her application for compassionate appointment had remained pending without any valid reason for more than a decade, the petitioner had submitted a representation dated 06.07.2020 seeking compassionate appointment in his favour. However, the said request was rejected on the ground that his mother's name was already included in the compassionate appointment records.

5. Thereafter, the petitioner's mother had executed a consent letter dated 20.01.2021 relinquishing her claim and authorising the petitioner to be



considered in her place. Accepting the substitution, the respondents, by proceedings dated 11.10.2022, included the petitioner's name in the compassionate appointment seniority list and assigned Seniority No.137.

6. Subsequently, the respondents had issued proceedings dated 07.10.2025 calling upon the petitioner for certificate verification and interview on 10.10.2025. The petitioner had attended the verification, produced all requisite documents and complied with all requirements. However, no appointment order was issued thereafter. Therefore, the petitioner had once again submitted a representation dated 27.01.2026 requesting issuance of appointment order based on his seniority. Despite the same, the respondents have not passed any orders. Aggrieved by the prolonged inaction of the respondents, the petitioner has approached this Court seeking the relief stated supra.

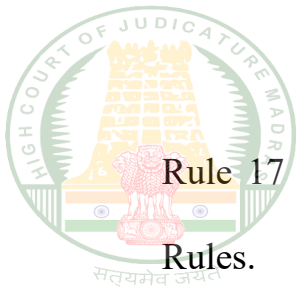
7. Heard the learned counsel on either side and perused the records.

8. A perusal of the records would clearly show that the petitioner's father had passed away on 03.11.2008 and the petitioner's mother had within a few months submitted an application seeking compassionate appointment. The



petitioner was aged about 12 years at the time of death of his father. The application given by the petitioner's mother was kept pending without any genuine reason from 2009 till 2021. Thereafter, by letter dated 20.01.2021, the petitioner's mother had requested that the appointment be given in favour of the petitioner, her son since she had become overaged. By letter dated 11.10.2022, the 1st respondent had accepted the request made by the petitioner's mother and included the petitioner's name in the seniority list for compassionate appointment, assigning him Seniority No. 137. On 10.10.2025, pursuant to the proceedings of the respondents dated 07.10.2025, the petitioner had attended the certificate verification and submitted all the required documents. Therefore, it is evident that the petitioner's request has been processed.

9. The learned counsel for the respondents would submit that the request for substitution of the applicant seeking compassionate appointment cannot be considered, as it was made beyond the period of one year prescribed under Rule 9 of the Tamil Nadu Civil Services (Appointment on Compassionate Grounds) Rules, 2023. However, a perusal of the records reveals that the petitioner's mother sought substitution of the applicant only on the ground that she had become overaged. It is also seen that, though the petitioner's mother had submitted her application for compassionate appointment as early as in the year 2009, the respondent had failed to process the same till the year 2021. Further,



Rule 17 of the aforesaid Rules gives powers to the Government to relax the Rules.

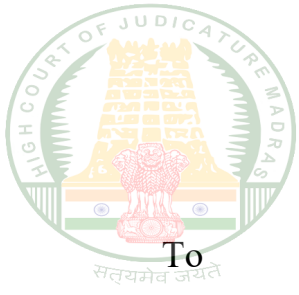
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10. Therefore, taking into account the fact that the application of the petitioner's mother seeking compassionate appointment had been kept pending without any valid reason from the year 2009 till 2021, and that the petitioner's application has been accepted by the 1st respondent and his name has been included in the seniority list of candidates seeking appointment on compassionate grounds at Serial No. 137, the 1st respondent is directed to consider the petitioner's request and grant compassionate appointment, if he is otherwise eligible, within a period of six weeks from the date of receipt of a copy of this order.

11. Accordingly, the Writ Petition is allowed. No costs.

02-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
SHR



To

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P.T.ASHA J.

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