



WEB COPY



WP NO. 27347 OF 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2026

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR**

W.P.NO.27347 OF 2025

J.Ashok

... Petitioner

Vs.

1.Shri R.N.Singh
Union of India
Represented by The General Manager
Southern Railways
Park Town, Chennai – 600 003.

2.Shri Hari Krishnan K, I.R.P.S.
The Chief Personnel Officer
Head Quarters Office
Personnel Branch
Chennai – 600 003.

3.Shri P.Balasundar
The Chief Workshop Manager
Carriage and Wagon Works
Perambur, Chennai – 600 023.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of impugned order passed in Contempt Petition No.CP/310/00081/2024 in O.A.No.310/1544/2014 dated 01.04.2025 issued by the Central Administrative Tribunal, Chennai Bench and quash the same.



WEB COPY



WP NO. 27347 OF 2025

For Petitioner : Mr.D.Panchatsaram

For Respondents : Mr.K.Ramamoorthy
Senior Panel Counsel

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The applicant before the Central Administrative Tribunal, Chennai Bench is the writ petitioner before this Court.

2.The employee served in Southern Railway died on 05.10.2004. Even before the death of the deceased employee, his wife Smt.Devaki alias Devakiammal filed O.S.No.60 of 1997 and the Second Additional Principal Family Court granted a decree of divorce between the deceased Railway employee and his wife Smt.Devaki alias Devakiammal. The fact remains that the decree of divorce was granted even before the death of the deceased employee. Since the marriage between the employee and his wife had been dissolved and maintenance amount was ordered by the Family Court, the Railway Authorities found that the divorced wife of the deceased employee was not the dependent of the deceased employee and consequently, ineligible for family pension and therefore, the Scheme of Compassionate Appointment had no application.



WEB COPY

3. However, the writ petitioner who is the son of the deceased employee, filed an application seeking compassionate appointment on 07.01.2008 after a lapse of four years from the date of death of the deceased employee. The said application was rejected on 14.09.2010 as he was not declared as dependent of the deceased employee. Thereafter, once again he has submitted an application on 02.12.2013 and the said application was also rejected vide Proceedings dated 30.07.2014 wherein the respondents have clearly stated that the deceased employee C.Jayaraman was not the breadwinner of the family of the writ petitioner and the writ petitioner and his mother were not dependants of C.Jayaraman at the time of his death on 05.10.2004. Therefore, the Scheme of Compassionate Appointment cannot be extended to the writ petitioner.

4. It is brought to the notice of this Court that under the threat of Contempt Petition filed before the Tribunal, the writ petitioner was engaged as a Trainee Helper vide Proceedings dated 11.07.2018 pending consideration of the application seeking compassionate appointment. Subsequently, the Contempt Petition was closed and the case of the writ petitioner was considered based on the application. The



WP NO. 27347 OF 2025

Authorities passed an order on 27.05.2019 stating that the writ petitioner did not possess the minimum educational qualification for appointment on compassionate grounds. Since the writ petitioner does not possess the minimum educational qualification for appointment, his application was not considered for appointment on compassionate grounds.

5.This Court is of the considered view that compassionate appointment is a Scheme providing a concession and not a constitutional scheme of appointment. Therefore, the Scheme is to be implemented strictly in terms of the conditions stipulated therein. In the present case, the father of the writ petitioner died on 05.10.2004. The writ petitioner submitted an application seeking compassionate appointment in the year 2008, after a lapse of four years. It was rejected by the Southern Railway on 14.09.2010. The said rejection order became final and remains unchallenged. Therefore, the second application submitted on 02.12.2013 itself is not maintainable. However, the second application was also rejected on 30.07.2014. Therefore, the Original Application filed before the Tribunal based on the second rejection order is untenable.



WP NO. 27347 OF 2025

WEB COPY

6.Further, the learned counsel for the respondents would submit that the deceased's second wife's son Mr.Arun Prasad separately filed an application seeking compassionate appointment, which was also rejected and he filed an Original Application before the Tribunal which was also dismissed. Against which, he filed writ petitions in W.P.Nos.16865 and 26723 of 2019 and this Court also rejected his claim for compassionate appointment.

7.In view of the facts and circumstances of the case, this Court is of the view that the writ petitioner has not established any acceptable grounds for grant of relief and the Tribunal has considered the issues in consonance with the terms and conditions of the Scheme of Compassionate Appointment and in the context of the facts established. Accordingly, the writ petition is dismissed. However, there shall be no order as to costs.

[S.M.S., J.]

[N.S., J.]

15.07.2026

Index : Yes
Speaking Order : Yes
Neutral Citation : Yes / No
TK



WP NO. 27347 OF 2025

WEB COPY

To

1. Shri R.N. Singh
Union of India
Represented by The General Manager
Southern Railways
Park Town, Chennai – 600 003.
2. Shri Hari Krishnan K, I.R.P.S.
The Chief Personnel Officer
Head Quarters Office
Personnel Branch
Chennai – 600 003.
3. Shri P. Balasundar
The Chief Workshop Manager
Carriage and Wagon Works
Perambur,
Chennai – 600 023.
4. The Central Administrative Tribunal
Chennai Bench
Chennai.



WEB COPY



WP NO. 27347 OF 2025



WEB COPY



WP NO. 27347 OF 2025

S.M.SUBRAMANIAM, J.

AND

N.SENTHILKUMAR, J.

TK

WP NO.27347 OF 2025

15.07.2026

Page No.8 of 8