



W.A(MD)No.717 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2026

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CORAM
THE HONOURABLE MR. JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR. JUSTICE N.DILIP KUMAR

W.A(MD)No.717 of 2021

R.Sudha

: Appellant

Vs.

1. The State Through its,,
Secretary to Government,
Department of Education,
Secretariat, Chennai.

2. The Joint Director,
Department of Secondary Education,
DPI Complex, Nungambakkam, Chennai.

3. The Chief Educational Officer,
Pudukkottai District, Pudukkottai.

4. The District Educational Officer,
Pudukkottai District,
Pudukkottai.

... Respondents

Prayer: This Writ Appeal is filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No. 3563 of 2014 dated 25.07.2019.

For Appellant : Mr. K.Samidurai
For Respondents : Mr.G.Mohan Kumar,
Additional Government Pleader



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JUDGMENT

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(Judgment of the Court was made by **M.DHANDAPANI.J.**)

This Intra-Court Appeal has been filed challenging the order passed by the learned Single Judge of this Court in W.P.(MD)No.3563 of 2014, dated 25.07.2019.

2. The appellant claims compassionate appointment on the ground that her father, who was working as a Headmaster, died on 07.12.1998. It is stated that the appellant submitted an application seeking compassionate appointment only in the year 2013. Thus, the application seeking appointment on compassionate grounds was submitted after a lapse of 15 years from the date of death of her father. The appellant thereafter filed the writ petition seeking a direction to the respondents to consider her application. This Court, by order dated 25.07.2019, dismissed the said writ petition. Aggrieved by the same, the present writ appeal has been filed. The learned counsel appearing for the appellant would submit that the indigent circumstances of the family ought to have been considered as on the date of consideration of the application and that the impugned order is therefore liable to be interfered with.



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3. Per contra, the learned Special Government Pleader appearing for the respondent would submit that the appellant was already aged about 47 years at the relevant point of time and therefore, there could be no justification for granting compassionate appointment at such a belated stage. It is further submitted that compassionate appointment is an exception to the normal rule of recruitment and is intended only to provide immediate financial assistance to the family of the deceased employee who is in indigent circumstances.

4. We have heard the learned counsel for the parties and perused the materials available on record.

5. It is not in dispute that the appellant's father died on 07.12.1998. The very object of compassionate appointment is to provide immediate relief to the family of the deceased employee and to enable it to tide over the sudden financial crisis caused by the death of the breadwinner. Compassionate appointment is not a mode of regular recruitment, nor does it confer a vested right to appointment irrespective of the passage of time. In the present case, there is a considerable delay between the date of death of the employee and the submission of the application seeking compassionate appointment. The competent authority is required to examine whether the family continues to be



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in indigent circumstances warranting such an exceptional appointment. The very purpose of compassionate appointment would be defeated if a person is appointed after a substantial lapse of time merely on the ground that an application had been submitted.

6. Therefore, having regard to the nature and object of compassionate appointment, the considerable passage of time, the age of the appellant and the absence of any continuing circumstances warranting immediate appointment, this Court finds no error in the decision of the learned Single Judge.

7. Accordingly, the Writ Appeal is dismissed. There shall be no order as to costs.

[M.D.I.,J] [N.D.K.,J]

13.08.2026

Index: Yes/No
Internet: Yes/No
PKN



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