



W.A(MD).No.1457 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2022

CORAM

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR  
AND  
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.A(MD).No.1457 of 2018  
and  
C.M.P(MD).No.10255 of 2018**

S.Selvi

...Appellant

Vs.

1.The State of Tamil Nadu  
Rep.by its Secretary to Government,  
Revenue Department,  
Secretariat,  
Chennai-600 009.

2.The District Collector,  
Pudukottai District,  
Pudukottai.

3.The Revenue Divisional Officer,  
Pudukottai,  
Pudukottai District.

4.The Tahsildar,  
Kulathur Taluk,  
Pudukottai District.

... Respondents



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**PRAYER:** Writ Appeal filed under Section 15 of Letters Patent against the order dated 03.01.2018 passed in W.P(MD).No.5600 of 2012.

For Appellant : Mr.A.Thirumurthy

For Respondents : Mr.N.Satheesh Kumar  
Additional Government Pleader

### **JUDGMENT**

(Judgment of the Court was made by **S.S.SUNDAR, J.**)

This Writ Appeal is directed against the order dated 03.01.2018 passed in W.P(MD).No.5600 of 2012 by this Court.

2. Heard Mr.A.Thirumurthy, learned Counsel appearing for the appellant and Mr.N.Satheesh Kumar, learned Additional Government Pleader appearing for the respondents.

3. From the facts narrated in the grounds filed in support of this appeal, it is seen that the appellant's husband died on 25.07.1998, while he was in service. Though the appellant as wife and dependant of the employee, has filed an application for appointment on compassionate



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ground in the same year, the same has not been disposed of. Thereafter, the appellant filed another application in the year 2007 for providing compassionate appointment to her elder daughter. The said application was rejected on the ground that the application of the appellant is still pending and the second application from the other dependant of the employee is not maintainable. Hence, the learned Single Judge has dismissed the writ petition filed by the appellant. Aggrieved over the same, the present Writ Appeal has been filed by the petitioner.

4. It is admitted that the application filed by the appellant on behalf of her daughter was in the year 2007. Such belated application was justified by saying that the appellant's daughter became major in the year 2007 and on attaining the age of majority, the application was filed for appointment on compassionate grounds. The Hon'ble Full Bench of this Court in W.P.(MD) Nos.7016 of 2011 etc., dated 11.03.2020, has held that the belated application on the ground of attaining the age of majority is not maintainable, as per the Scheme. Hence, this Court is unable to find any error in the order of the learned Single Judge dismissing the writ petition.



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5. The learned counsel appearing for the appellant submitted that the application of the appellant is not yet considered.

6. The above reason cannot be a ground to file another application for another dependant. However, liberty is granted to the appellant to prosecute her application. The respondents may pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this judgment on the application of the appellant.

7. Accordingly, this Writ Appeal is dismissed. No costs. Connected miscellaneous petition is closed.

**[S.S.S.R., J.]                      [S.S.Y., J.]**  
**18.08.2022**

Index                      :Yes/No  
Internet                    :Yes  
ssb



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