



W.A.(MD) No.417 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.A.(MD) No.417 of 2023

V.Parameswari

... Appellant

-VS-

- 1.The Director General of Police,
Mylapore, Chennai – 600 009.
- 2.The Superintendent of Police,
Kanyakumari District, Nagercoil.
- 3.The Sub-Inspector of Police,
South Tamaraikulam Police Station,
Kanyakumari District.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order,
dated 12.01.2022, passed in W.P.(MD) No.3570 of 2018, on the file of this Court.



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For Appellant : Mr.M.Saravanakumar

For Respondents : Mr.V.Nirmal Kumar
Government Advocate

J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The Writ Court has rejected the claim of the appellant for compassionate appointment solely on the ground of delay. It is seen that the husband of the petitioner, who was working as a Head Constable, died on 04.11.2003. The petitioner made an application for seeking compassionate appointment for her daughter P.Subhashini on 19.12.2003. However, the said Subhashini did not furnish the documents/certificates required despite reminders issued by the Department. Thereafter, on 15.02.2006, the petitioner applied for compassionate appointment for her son P.Maheswaran. However, the application made by the petitioner seeking compassionate appointment for her son in the year 2006 was as usual kept pending by the Department without either being rejected or accepted. The petitioner also did not take any action. She allowed matters to drift till 18.07.2017 when she sent a reminder. Acting on the reminder, the respondents had rejected the request.



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2. The Writ Court has dismissed the writ petition solely on the ground of delay and laches. The respondents are bound to dispose of the application seeking compassionate appointment within a reasonable period but, the inaction on the part of the respondents, which is not uncommon, cannot give a right to the petitioner to resurrect a stale claim and seek compassionate appointment fourteen years after the death of the government employee. We are unable to fault the Writ Court for having dismissed the writ petition on the ground of delay. Hence, the writ appeal fails and it is accordingly dismissed. No costs.

[R.S.M., J.]

[L.V.G., J.]

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NCC : No
Index : No
Internet : Yes

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