



W.A.No.3422 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2024

CORAM

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN**

**Writ Appeal No.3422 of 2024
and C.M.P.No.26524 of 2024**

1.The Principal Secretary to Government
Rural Development and Panchayat Raj
Department, Secretariat, Chennai-9.

2.The Principal Secretary to Government /
Director of Rural Development and
Panchayat Raj, Chennai 600 005.

3.The District Collector (Development Wing)
Collectorate, Dharmapuri District.

... Appellants

Vs.

1.D.Mohana
2.D.Sundaresan
3.The Commissioner /
Panchayat Union Officer
Nampalli, Dharmapuri District.

.... Respondents

Writ Appeal under Clause 15 of the Letters Patent against the order dated
09.01.2024 in W.P.No.12245 of 2021.

For Appellants : Mr.M.Venkateswaran

For Respondents : Mr.K.Shakespeare - for RR 1 and 2



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J U D G M E N T

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(Judgment of the Court was Delivered by **R.SURESH KUMAR, J.**)

This intra Court appeal has been filed against the order passed by the Writ Court dated 09.01.2024 in W.P.No.12245 of 2021.

2. The husband of the first respondent N.Dharman was working as Junior Assistant at the office of the third respondent in the year 2014. While so, he suddenly died in harness on 04.06.2014, leaving behind his wife and son. As the family has been left in lurch due to the sudden demise of the bread winner of the family, the first respondent made a request by way of an application on 24.07.2014 to the appellants, including the third respondent to consider the case of the deceased's son ie., the second respondent herein for compassionate appointment. Though the said request was made as early as on 24.07.2014, In regard to compassionate appointment, nothing was moved from the side of the appellants. Therefore, both the widow and son of the deceased were constrained to approach this Court by filing a writ petition in W.P.No.12245 of 2021, where they sought for a relief of mandamus.

3. The learned Writ Court, after having considered the factual matrix, found that there is no plausible reason to refuse such a request made by the



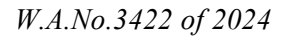
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wife and son of the deceased and directed the appellants / respondents before the writ Court to consider the request of the writ petitioners dated 24.07.2014 and the latest representation dated 22.01.2021 and to pass orders providing appointment to the second writ petitioner, who is the second respondent herein under the compassionate grounds suitable to his qualification. Aggrieved over the same, the present intra Court appeal has been filed.

4. Heard Mr.M.Venkateswaran, learned Special Government Pleader for the appellants and Mr.K.Shakespeare for the respondents 1 and 2.

5. Though the third respondent, in whose office the deceased Government Servant was working has been arrayed as a respondent in this appeal, he is also a Governmental authority, in which office the deceased employee since was working admittedly as a Junior Assistant at the time of his death, naturally under the Scheme which was prevailing at that time for compassionate appointment, the family member, either the widow or the son or daughter, who are otherwise eligible by reaching the minimum age of 18 years would be eligible and entitled to be considered for compassionate appointment.

6. No other reason whatsoever has been given on the side of the appellants, who were respondents before the writ Court, as to why such a



7. Therefore, we do not find any error in the said approach of the learned as well as the direction given by the Writ Court. Resultantly, this writ fails and hence it is dismissed. No costs. Consequently, connected laneous petition is closed.

The Commissioner /
Panchayat Union Officer
Nampalli, Dharmapuri District.



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R.SURESH KUMAR, J.
AND
C.SARAVANAN, J.

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