



WA(MD). No.2514 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 10/12/2024

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

WA(MD). No.2514 of 2024
and CMP(MD) No.17653 of 2024

1. The Government of Tamilnadu,
Rep. by its Secretary to Government
Public Works Department,
Secretariat, Chennai.

2. The Chief Engineer,
Public Works Department
Water Resources Organization,
Periyar Vaigai Basin Division,
Tallakulam,
Madurai.

3. The Superintending Engineer,
Public Works Department
Water Resources Organization,
Periyar Vaigai Basin Division,
Tallakulam, Madurai.

4. The Executive Engineer,
Public Works Department
Water Resources Organization,
Periyar Vaigai Basin Division,
Melur, Madurai District.



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5. The Assistant Executive Engineer
Public Works Department
Water Resources Organization,
Periyar Vaigai Basin Division,
Melur, Madurai District.

... Appellants

Vs

Karthick.A

... Respondent

PRAYER :- Writ Appeals filed under Clause 15 of Letters patent
against the order dated 10.08.2023 in WP(MD). No. 10095/2023.

For Appellants : Mr.SR.A.Ramachandran
Additional Government Pleader

For Respondent : Mr.M.Prabhakaran

JUDGMENT

(Judgment of the Court was delivered by M.S.RAMESH, J.)

Challenge is made to the order of the writ Court dated 10.08.2023
in WP(MD) No.10095/2023.

2. Earlier when the writ petitioner had approached this Court
seeking for appointment on compassionate basis in WP(MD) No.
84/2013, the learned single Judge, in his order dated 18.03.2015, had
considered the objections raised by the petitioner that he had made an



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application belatedly after three years and justified it saying that such a claim is maintainable, since such application is made after he became major and remanded back the matter to the authorities, the consequential rejection on the very same ground that the writ petitioner was a minor at the time of the death of the employee and had apparently made an application, cannot be legally sustained. In the light of this, the order of the learned Single Judge in WP(MD) No.10095/2023 cannot be found fault with.

3. This apart, the learned Additional Government Pleader placed reliance on G.O.Ms.No.18 Labour and Employment (D1) Department dated 23.01.2020 and submitted that even as per the revised comprehensive guidelines, the legal heirs of the employee have to make an application within three years from the date of death of the Government servant. Such a submission does not deserve consideration. In the instant case, when such a ground was taken before the learned Single Judge in the earlier round of litigation, the same was rejected and further held that the application made, even after the period of three years when the legal heir had become a major was approved. The order of the



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learned Single Judge had also become final and therefore, it is not now open to the Government to once again reopen the same ground either before the learned Single Judge or before us.

4. Accordingly, the writ appeal stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

[M.S.R.,J]

[A.D.M.C.,J]

10.12.2024

NCC : Yes/No
Index : Yes/No
RR



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TO

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**M.S.RAMESH,J
AND
A.D.MARIA CLETE, J.**

RR

**JUDGMENT IN
WA(MD) No.2514 of 2024**

Date : 10/12/2024