



WA(MD)No.1332 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.12.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**WA(MD)No.1332 of 2024
and
CMP(MD)No.10440 of 2024**

1 THE DIRECTOR GENERAL OF POLICE,
DR.RADHA KRISHNAN SALAI,
MYLAPPORE,
CHENNAI -600 004.

2 THE DEPUTY INSPECTOR GENERAL OF POLICE,
(TECHNICAL SERVICES),
POLICE TELE COMMUNICATION BRANCH,
CHENNAI 600 004.

... Appellants

vs.

S.VIJAYA RAGHAVAN

... Respondent

Prayer : Appeal filed under Clause 15 of the Letters Patent, against
the order dated 14.08.2023 made in W.P(MD)No.19052 of 2022.

For Appellants : Mr.S.R.A.Ramachandran
Additional Government Pleader
For Respondent : Mr.K.Shanmuga Raja



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JUDGMENT

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

This writ appeal is directed against the order dated 14.08.2023 made in W.P(MD)No.19052 of 2022.

2. Under G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023, there is no minimum age limit for an applicant to seek for appointment on compassionate basis. Though initially when the mother of the respondent / writ petitioner had made an application, seeking for compassionate appointment on 15.05.2011, the respondent herein had completed only 17 years of age and was a minor. Thereafter, when the respondent had become major, he had made an application on 24.11.2015 and 11.12.2019 and both of them were not considered by the appellants, which prompted him to file the writ petition.

3. Though there was a bar for making an application, seeking compassionate appointment to a minor, under G.O.Ms.No.18, Labour and Employment (Q1) Department, dated 23.01.2020, the Tamil Nadu



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Civil Services (Appointment on Compassionate Grounds) Rules, 2023,

which was later notified through G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023, had removed the said embargo. As such, considering the case of the respondent herein, for the purpose of appointing him on compassionate grounds, is now legally feasible and therefore, the appellants could be directed to consider his case, in the light of the new rules.

4. The learned Single Judge had also remitted back the matter to the appellants, for the purpose of re-consideration of the respondent's application. However, we intend to modify the purpose of its remittance in the following manner:

The matter is remitted back to the appellants with a direction to consider the respondent's application, in the light of G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023, and pass positive orders, granting compassionate appointment to the respondent herein, within a period of three months from the date of receipt of a copy of this order.



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5. With the above direction, the Writ Appeal stands allowed.

No costs. Consequently, connected miscellaneous petition is closed.

(M.S.R, J.) (A.D.M.C, J.)

17.12.2024

Index : Yes / No

Neutral Citation : Yes / No

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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

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JUDGMENT MADE IN
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