



WP(MD) No.26918 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.26918 of 2023

Dhanapandi

... Petitioner

Vs.

1.The District Collector

Madurai District.

2.The Tahsildar

Usilampatti,

Madurai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the 1st respondent dated 25.09.2023 in his proceedings Na.Ka.No. 32875/2010/G1 quash the same and direct



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him to provide compassionate appointment to the petitioner's daughter Viji Pandi.

For Petitioner : Mr.D.Malaichamy

For Respondents : Mr.J.Ashok

Additional Government Pleader

ORDER

The present writ petition has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned order of the 1st respondent, dated 25.09.2023 in his proceedings in Na.Ka.No. 32875/2010/G1 and direct the first respondent to provide compassionate appointment to the petitioner's daughter Viji Pandi.

2. Heard Mr.D.Malaichamy, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents.

3. The petitioner had made an application seeking for compassionate appointment to her daughter Viji Pandi on the



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demise of her husband Palraj, who was working as a Village Assistant, on 26.09.2001, while he was in service.

4. The petitioner's mother has substituted her son for compassionate appointment by giving another application on 12.06.2006. The petitioner was intimated stating that the daughter of the petitioner alone will be given preference in the matter of seniority considering her age and the petitioner was required to submit certain documents. Thereafter, the petitioner submitted all the documents on 03.11.2022. The impugned order has been passed on 25.09.2023 stating that the petitioner's family does not appear to be indigent as they have managed to live for 20 years and the certificate showing the economic status of the petitioner has been obtained only after 20 years.

5. Admittedly, the husband of the petitioner died on 26.09.2001 and in some point of the time, the petitioner herself was



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not interested in pursuing the application seeking compassionate appointment for her daughter, as her daughter fell in love with someone else and left the petitioner's family by executing a release deed on 28.07.2005. Thereafter, the petitioner has filed an application on 12.06.2006 seeking appointment for her son. Once again, she has given documents in respect of her daughter on the advice of the respondents. Now the learned counsel for the petitioner submitted that the petitioner's daughter had returned to the petitioner's family and hence, her application can be considered.

6. The compassionate appointment is considered to be given only to save the family of the deceased employee from the immediate financial incapability experienced due to loss of the breadwinner of the family. Such applications cannot be substituted at the whims of the petitioner and at a time suiting to her convenience.



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7. Admittedly, there is no certificate from the revenue authorities has been attached along with the application when the application was submitted for the first time. The respondents did not prefer to rely on the latest certificate showing the petitioner's economic status. The petitioner still could have grown and they would not have waited to know the outcome of the application seeking compassionate appointment, without going for any avocation. If in the opinion of the respondent the petitioner's family does not suffer from any penury and they are able to make out a living of their own, I do not find any reason for interference.

8. Hence, this writ petition is **dismissed**. No costs.

11.06.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM



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To

1.The District Collector
Madurai District.

2.The Tahsildar
Usilampatti,
Madurai District.



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.26918 of 2023

Dated:
11.06.2024