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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 5732 of 2025

Dhatchanamoorthis

... Petitioner

..Vs..

1. The State of Tamil Nadu
Rep. by the Principal Secretary to Government
Revenue and Disaster Management Department
Secretariat, Chennai -600 009.
2. The Commissioner for Revenue Administration
Revenue and Disaster Management Department
Chepauk, Chennai – 600 005.
3. The District Collector
Krishnagiri District
Krishnagiri.
4. The Revenue Divisional Officer
Krishnagiri Revenue Division
Krishnagiri
Krishnagiri District.
5. The Tashildhar
Uthangarai Taluk
Uthangarai
Krishnagiri District.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying



for the issue of a Writ of Mandamus directing the respondents to appoint the petitioner as Village Administrative Officer or any other suitable post in the Revenue and Disaster Management Department under compassionate ground in order to protect his family livelihood forthwith.

For Petitioner :: Mr. M.R.Jothimanian

For Respondents :: Mrs. A.Bakkialakshmi
Government Advocate

ORDER

The Writ Petition has been filed in the nature of a Writ of Mandamus seeking a direction against the respondents to appoint the petitioner as Village Administrative Officer or in any other suitable post in the Revenue and Disaster Management Department on compassionate grounds.

2. In the affidavit filed in support of the Writ Petition, it had been contended that the father of the petitioner P.Sivalingam was appointed as Village Administrative Officer on 27.06.2012 through direct recruitment by the Tamil Nadu Public Service Commission and was posted at Thinnapatti



Village, Udumalpet Revenue Division on 29.06.2012. He was thereafter transferred to various other posts but while in service, unfortunately died on 25.10.2023. The petitioner had completed his B.Sc., Physics. It is to be noted that the petitioner belongs to Scheduled Tribe Community. He had made an application on 18.12.2023 within the stipulated period seeking consideration of grant of employment to the post of Village Administrative Officer or to any other post to which his educational qualification would permit the respondents to grant.

3. A counter affidavit had been filed on behalf of the respondents wherein they had stated as follows:-

“5. It is submitted that the respondents 3 to 5 have already initiated action to issue postings to the petitioner under Compassionate Grounds. The third respondent/the District Collector, Krishnagiri is competent authority to issue postings to the legal heir of the deceased Government Servant under Compassionate Grounds. Proposals have been prepared for the appointment of the petitioner in Government Service and the same has been sent to the Collector, Krishnagiri Na.Ka.No. 4474/2024/A dated 01.03.2025 by the fourth



respondent. ”

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4. It had been further stated as follows:-

“The name of the petitioner will be considered as and when vacancy arise and posting will be issued to the petitioner on seniority basis early. It will take atleast 06 months to issue postings to the petitioner on compassionate grounds.”

5. It would only be appropriate that the respondents take into consideration the indigent circumstances in which the family of the petitioner is placed more particularly the fact that the father was working as Village Administrative Officer and though the petitioner had completed B.Sc., Physics, he seeks atleast that particular work which his father discharged. The respondents must also considered that the petitioner belongs to Scheduled Tribe and there is a duty cast on the respondents to uplift the family of the petitioner. They cannot desert the family merely because the father died.

6. In view of these circumstances, a direction is issued that the



respondents must proceed further with the application given by the petitioner and ensure that any posting commensurate educational qualification of the petitioner is granted within a period of six weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands allowed. No order as to costs.

07.04.2025

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Index: Yes/No

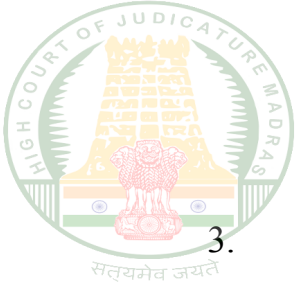
Internet: Yes/No

To

1. Principal Secretary to Government
The State of Tamil Nadu
Revenue and Disaster Management Department
Secretariat, Chennai -600 009.
2. The Commissioner for Revenue Administration
Revenue and Disaster Management Department
Chepauk, Chennai – 600 005.

C.V.KARTHIKEYAN, J.,

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