



W.P.No.17659 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2025

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

**W.P.No.17659 of 2024
and
W.M.P.No.19856 of 2024**

C.Devendiran

... Petitioner

-VS-

1. The Director,
Directorate of Adi-Dravidar Welfare,
Chepauk,
Chennai - 600 005.
2. The District Welfare Officer,
District Adi-Dravidar Welfare Office,
Cuddalore.
3. The Special Tahsildar,
Adi-Dravidar Welfare,
Vriddhachalam,
Cuddalore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the second respondent in Na.Ka.No.டபிள்யூ/10/18760/2022 dated 11.12.2023 and quash the same



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and consequently, direct the third respondent to consider the petitioner's representation dated 08.11.2021 within a stipulated time that may be fixed by this Court.

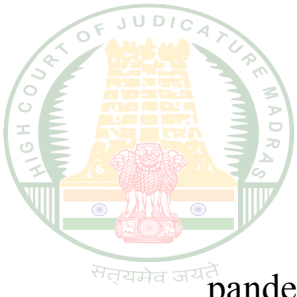
For Petitioner : Mr.C.Deivasigamani

For Respondents : Mrs.A.Bakkialakshmi
Government Advocate

ORDER

This writ petition has been filed in the nature of certiorarified mandamus seeking records of the second respondent, District Welfare Officer, District Adi-Dravidar Welfare Office, Cuddalore in Na.Ka.No.ஸ்ரீ/10/18760/2022 dated 11.12.2023 and quash the same and direct the third respondent, Special Tahsildar, Adi-Dravidar Welfare, Vriddhachalam, Cuddalore District to consider the representation given by the petitioner on 08.11.2021.

2. In the affidavit filed in support of the writ petition it had been stated by the petitioner that his mother Rajambal was working as a Cook in Vriddhachalam Government Girl's Hostel at Vriddhachalam in Cuddalore District. She had been appointed on 14.07.1995. Unfortunately, due to cancer, she died on 07.02.2021 during the



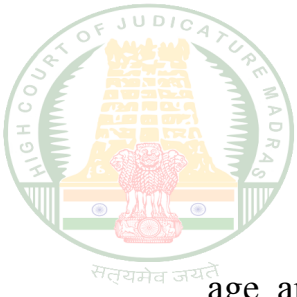
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pandemic COVID-19 period. The petitioner had given a representation on 08.11.2021 within a period of three years seeking to be considered for appointment.

3. In the counter affidavit filed by the third respondent it had been stated that the application given by the petitioner had been rejected since, the maximum age for applicants who seek appointment on compassionate ground is forty years at the time of submitting the application. It had been contended that the petitioner had crossed the age of forty and therefore, the petitioner could not be considered for grant of compassionate appointment.

4. The third respondent however has examined the service records of the mother of the petitioner wherein it had been very clearly stated that the petitioner belongs to Adi Dravidar Community. Naturally the relaxation in the age should have been considered by the third respondent. The age relaxation of five years is granted. It must also be kept in mind that the petitioner cannot be expected to be of a particular



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age and within that particular age, the mother must die. The reasons given by the respondents defies logic. The compassionate appointment is granted only to the person who helps the family in indigent circumstances which arise owing to the death of the earning member of the family. The mother had been working as a Cook in Vriddhachalam Government Girls Hostel at Vriddhachalam, Cuddalore District. She initially worked at Government Girls Hostel (Adi Dravidar) Welfare, Veppur Taluk, Cuddalore District. It is seen that she had shed blood and sweat working as a Cook under the respondents. After the death of the public servant, the Government cannot let the family members high and dry. The responsibility must also extend to ensure that the family does not suffer from economic and financial constraints. The reasons given by the respondents cannot stand judicial scrutiny. A direction is given to the third respondent to verify whether the petitioner is otherwise eligible and grant appointment on compassionate ground in any post commensurate to the qualification of the petitioner. Such an order should be passed within a period of three months from the date of receipt of a copy of this order.



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5. This Writ Petition stands allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

14.03.2025

Index: Yes/No
Internet: Yes/No
Speaking Order: Yes/No

vji

To

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