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W.P.No.28937 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.P.No.28937 of 2025

S.Kannaki
D/o.Seenivasan

... Petitioner

Vs.

1. The District Collector,
Namakkal District,
Namakkal.
2. The Revenue Divisional Officer,
Namakkal,
Namakkal District.
3. The Tahsildar,
Senthamangalam Taluk Office,
Senthamangalam Taluk,
Namakkal District.
4. The State Audit and Accountant General,
Anna Salai, Rostrevor Garden,
Teynampet,
Chennai.
5. S.Suresh
S/o.Seenivasan

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of mandamus, to direct the 3rd respondent to act upon the proceedings in Na.Ka.No.9317/2020/A2 dated 11.12.2024 on the file of the 1st respondent herein.

For Petitioner : Mr.V.Illanchezian
For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader for R1 to R4

ORDER

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The writ petition is filed to direct the 3rd respondent to act upon the proceedings in Na.Ka.No.9317/2020/A2 dated 11.12.2024 on the file of the 1st respondent herein.

3. The case of the petitioner is that, the petitioner's father viz., late Seenivasan was working as Office Assistant in Village Revenue Office at Alanganatham, Senthamangalam Taluk, Namakkal District. While so, he married the petitioner's mother viz., Sutha on 10.04.1998 without disclosing earlier marriage with one Rajammal, who is the mother of the 5th respondent. Subsequently, on 30.06.2018, the petitioner's father died, while he was in



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service. Thereafter, there was a Panchayat Muchalika between the first and second wife of the deceased Government employee on 20.09.2019, in and by which the petitioner had given no objection for the appointment of the 5th respondent on compassionate ground. Further, according to Panchayat Muchalika, the 5th respondent is entitled only for compassionate appointment, whereas the petitioner is entitled for terminal benefits. However, the 5th respondent has not initiated any steps to settle the terminal benefits. Therefore, the petitioner had issued legal notice to the respondents to take action against the 5th respondent. In pursuance to the said legal notice, the 1st respondent / District Collector through the proceedings dated 11.12.2024, directed the 3rd respondent / Tahsildar to submit certain records. However, the 3rd respondent has not initiated any steps. Hence the petition.

4. Learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that, the issue involved in the present writ petition is in the nature of civil disputes, where the petitioner sought for the terminal benefits from the 5th respondent, in which, the Officials of the Government cannot be made as a party. Hence prays for dismissal of the writ petition.

5. I have given my anxious consideration to the submission of the



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learned Counsel on either side.

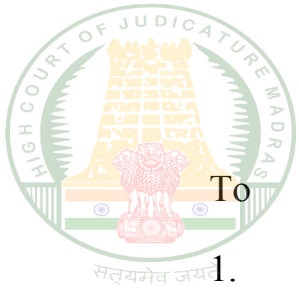
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6. Thought this writ petition was couched in the manner to bring the Collector's letter dated 11.12.2024 to its logical conclusion. But the very content of the letter deals about the Advocate notice issued by the petitioner, wherein the petitioner sought for cancelling the 5th respondent's compassionate appointment and also seeking settlement of terminal benefits from the 5th respondent. Therefore, from a careful reading of Collector's letter dated 11.12.2024 and affidavit of the petitioner, it would demonstrate that there is civil dispute between the petitioner and the 5th respondent. Therefore, as rightly contended by the learned Additional Government Pleader, the Government Officials cannot be made as a party. Therefore, this Court does not find any merits in the instant writ petition.

In the result, the Writ Petition is dismissed as devoid of merits. No costs.

06.08.2025

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Index: Yes/No
Speaking order/Non-speaking order
Neutral Citation: Yes/No



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C.KUMARAPPAN, J.

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