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W.P.No.26807 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.07.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.26807 of 2025
and
W.M.P.No.30132 of 2025

S.Rajalakshmi

... Petitioner

Vs.

1. The Home Secretary,
Government of Tamilnadu,
Secretariat, Chennai.

2. The Director General of Police,
Tamil Nadu Director General of Police Station,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.

3. The Commissioner of Police,
Chennai Metropolitan Police Office,
Vepperi, Chennai – 600 007.

4. The Joint Commissioner of Police (South Zone),
Nazarethpuram, Police Office Street,
Bunny Road, Gandhi Nagar,
Chennai – 600 016.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India



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praying to issue a Writ of Certiorarified Mandamus, calling for the records of the fourth respondent herein, which culminated in the impugned Letter having Ref.No.Pa.Pe.1(2)/THM/105/19853/2021 dated 02.09.2021 and quash the said impugned letter, and to direct the respondents to allot a job in Government under compassionate appointment to the petitioner within a time frame fixed by this Court.

For Petitioner : Mr.T.K.S.Gandhi
For Respondents : Mr.N.Naveen Kumar,
Government Advocate

ORDER

The instant writ petition has been filed challenging the impugned order dated 02.09.2021.

2. The learned counsel for the petitioner would submit that the petitioner's husband, Mr. G. Sigamani, served in the respondent's department as a Grade-I Police Constable and died during 2009. It is the contention of the learned counsel for the petitioner that immediately after the death of her husband, she submitted an application during 2010 for compassionate appointment, which was not considered by the respondents. However, subsequently, she filed another application dated 23.07.2021, which was



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rejected vide the impugned order dated 02.09.2021, stating that the application had been submitted after a period of 12 years.

3. At this juncture, the learned Government Advocate would fairly submit that though the petitioner had filed an application seeking compassionate appointment during 2010, she did not produce any proof to show that such an application had been submitted in 2010, as there was a rival claim made by one S. Swathi @ Karpagam. Therefore, the petitioner was not able to preserve those documents. He would further contend that according to the guidelines in G.O. (Ms) No. 18, Labour and Employment (Q1) Department, dated 23.01.2020, any application for compassionate appointment has to be submitted within a period of three years. In the case in hand, the petitioner submitted the application after a period of 12 years. Therefore, no appointment could be made under compassionate grounds in violation of the Government guidelines. Hence, he would contend that the impugned order dated 02.09.2021 is liable to be dismissed.

4. I have given my anxious consideration to either side submissions.



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5. It is an admitted fact that the petitioner's husband died in 2009, and it is a further admitted fact that the petitioner did not produce any proof to show that such an application had been submitted during 2010. It is a well-settled principle of law that any appointment under compassionate grounds is an exception to regular mode of appointment, and such public appointments are to be made only in accordance with the guidelines.

6. Here, as rightly contended by the learned Government Advocate, the guideline in G.O. (Ms) No. 18, Labour and Employment (Q1) Department, dated 23.01.2020, stipulates that any application for compassionate appointment has to be submitted within a period of three years. Here, admittedly, though it is contended that such an application had been submitted within a period of three years, there is no proof submitted before this Court. Therefore, this Court does not find any infirmity in the rejection through the impugned order.

7. Though it is contended that the petitioner could not preserve the



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earlier application in view of the rival claim made by the said S. Swathi @ Karpagam, there cannot be a reason to direct the respondents to consider the petitioner's request once again.

8. In the result, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

23.07.2025

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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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