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W.A.No.27 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2025

CORAM:

THE HONOURABLE Mr. JUSTICE R. SURESH KUMAR

AND

THE HONOURABLE Dr. JUSTICE A.D. MARIA CLETE

W.A.No.27 of 2023

AND

C.M.P.Nos.29382 & 323 of 2023

The District Collector
Thiruvannamalai District
Thiruvannamalai

Appellant

Vs.

M. Revathi

Respondent

Writ Appeal filed under Clause 15 of the Letters Patent challenging the order dated 15.06.2022 in W.P.No.2525 of 2020.

For Appellant	: Mr.M.Venkateswaran Special Government Pleader
For Respondent	: Mr.D.Rajagopal



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JUDGMENT

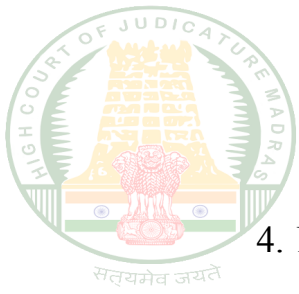
(Delivered by R.SURESH KUMAR, J.)

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This intra-court appeal has been directed against the order dated 15.06.2022 passed by the writ Court in W.P.No.2525 of 2020.

2. The respondent/writ petitioner had made an application seeking compassionate appointment, in view of the demise of the Government servant on 15.05.2014, who is none other than her sister. The said application submitted on 02.11.2015 by the respondent/writ petitioner seeking compassionate appointment was rejected by the proceedings of the appellant Department on 18.04.2016 and the said order was challenged before this Court in W.P.No.42273 of 2016.

3. The said writ petition was allowed by the writ Court by order dated 31.08.2017, where the reason adduced by the appellant Department in making the rejection order by quoting G.O.Ms.No.102, Rural Development and Panchayat Raj (E5) Department, dated 13.07.2015, was untenable and accordingly, the writ petition was allowed remitting the matter to the appellant Department.



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4. Not satisfied with the order of the writ Court, the appellant Department filed W.A.SR.No.100833 of 2017 on 19.12.2017 and that was also dismissed at the SR stage itself, by a Division Bench.

5. Thereafter, once again, a rejection order has been passed by the appellant Department on 21.11.2017. When the said rejection order was put to challenge by way of a writ petition, viz., W.P.No.2525 of 2020, the learned Single Judge, in the impugned order dated 15.06.2022, has come to the conclusion that what reason that has already been stated in the first round of litigation which was considered and not accepted by the writ Court in the first round of litigation, has again been stated in their order dated 21.11.2017 also. Therefore, it cannot be sustained and accordingly, the writ Court has allowed the writ petition by setting aside the impugned order and after quashing the same, the learned Single Judge remitted the matter to the appellant Department for re-consideration.

6. As against the said order, in fact, the matter has been again taken up by the writ Court at the instance of the appellant Department for clarification and the writ Court, by order dated 21.06.2022, after having considered the request for



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clarification, has rejected such a plea, as no further clarification is required in respect of the order dated 15.06.2022.

7. At that juncture, now the order passed by the writ Court dated 15.06.2022 along with the order of clarification passed by the writ Court dated 21.06.2022 has been put to challenge in the present appeal.

8. We have heard Mr.M.Venkateswaran, learned Special Government Pleader appearing for the appellant Department and Mr.D.Rajagopal, learned counsel appearing for the respondent/writ petitioner.

9. After having gone through all these orders, we do not find any feasible reason to interfere with the order passed by the writ Court which is impugned herein and the order of the writ Court speaks for itself.

10. The reason that has already been stated by the appellant Department in rejecting the application submitted by the respondent/writ petitioner seeking compassionate appointment, once has been tested by this Court and the matter has



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been remitted to the appellant Department. However, once again, the very same reason has been given in the second round also and that was also once again rightly rejected by the writ Court. Hence, we do not find any ground to interfere with the order impugned herein.

11. Resultantly, this writ appeal fails and accordingly, it is dismissed. The direction given by the writ Court shall be complied with by the appellant Department within a period of two months from the date of receipt of a copy of this judgment. No costs. Connected C.M.Ps. are closed.

(R.S.K., J.) (A.D.M.C., J.)
04.03.2025

gya
Index:Yes/No
Speaking Order / Non speaking order
Neutral Citation: Yes/No



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