



WEB COPY



W.P.No.29555 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

W.P.No.29555 of 2025 and
W.M.P.No.33557 of 2025

Soundarya

...Petitioner

Vs.

1. The Principal Chief Conservator of Forests / Chief Welfare Warden
Panangal Building,
Saidapet,
Chennai - 600 015.

2. The Forest Officer / Wildlife Warden
Hosur Forest Division,
Krishnagiri District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, call for the records pertaining to the impugned order Na.Ka.No.682/2009/pa2 dated 24.11.2020 quash the same and subsequently grant an appointment in Forest Department to the petitioner on compassionate ground.

For Petitioner : Mr.C.Deepakkumar

For Respondents : Mr.C.Selvaraj,
Additional Government Pleader



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ORDER

The writ petition is filed for the relief herein below set out:

"call for the records pertaining to the impugned order Na.Ka.No.682/2009/pa2 dated 24.11.2020 quash the same and subsequently grant an appointment in Forest Department to the petitioner on compassionate ground."

2. The brief facts which has culminated in the filing of this writ petition are set out below:

2.1. The petitioner would contend that her father Thimminaidu had worked as a Forest Guard in the second Respondent forest range. On 31.01.2009, he died on account of his ill health, while in service. When the petitioner had applied for legal heir certificate, she was informed that One Nagammal had also applied for legal heir certificate claimed to be the wife of her father. The said Nagammal had filed O.S.No.42 of 2009 on the file of the learned District Munsif, Krishnagiri seeking declaration that she and the petitioner's daughter are the only legal heirs of the late Thimminaidu. The suit was dismissed and the Court had held that the said Nagammal was not the



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legal heir of late Thimminaidu. Against the said judgment and decree, the said Nagammal preferred an appeal on the file of the Sub Court, Krishnagiri which was also dismissed by judgment and decree dated 19.12.2014. Thereafter, the petitioner and her mother were declared as legal heirs of late Thimminaidu and the Tahsildar, Krishnagiri had issued legal heir certificate on 06.10.2016.

3. The petitioner would submit that she attained the age of majority on 18.12.2019 and she had made an application before the 2nd Respondent for grant of compassionate appointment. The application was forwarded by the 2nd Respondent to the 1st Respondent recommending to grant an appointment. however since there was no orders from the first respondent, the petitioner had filed W.P.No.12539 of 2024 and when the matter came up for admission, she was issued with the impugned order dated 03.06.2024 had rejected her request on the ground that it was belated. Challenging the same, the petitioner is before this Court.

4. Heard the learned Counsels on either side and perused the records.



5. A mere perusal of the Affidavit filed in support of the Writ petition will clearly demonstrate the contradiction in the age. While describing herself in the Affidavit, the petitioner would submit that she is aged 42 years in the year 2025. However, in Paragraph 5, she had stated as follows.

" 5. I submit that in the meantime I attained major and on 18.12.2019, I made an application before the 2nd respondent for grant appointment to me on the compassionate ground.

6. A reading of this sentence would give out that the petitioner had attained the age of majority in the year 2019 which fact is totally incorrect. Be that as it may, the petitioner's father died on 31.01.2009 and on the date of his death, the petitioner was aged about 26 years. However, the application for compassionate appointment was made only in the year 2019. Even in the suit filed by the said Nagammal, Nagammal had recognized the petitioner as legal heirs of Late Thimminaidu. Therefore there was no impediment forwarding the application seeking compassionate appointment. However the petitioner has chosen not to seek compassionate appointment which only goes to show that the petitioner was not in a State of financial distress. The first Respondent had rightly rejected the request. I see no reason to interfere with the same.



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Therefore, the Writ petition is dismissed. Consequently connected miscellaneous petition is closed. There shall be no order as to costs.

26.08.2025

Shl

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

To

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