



W.A.No. 159 of 2

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No. 159 of 2025
and
C.M.P.No. 1109 of 2025

K.Ambiga

...Appellant

Vs.

1.The District Collector,
Chengalput District,
Chengalput.

2.The Superintendent,
District Social Welfare Office (ICDS),
Kancheepuram District,
Kancheepuram.

3.The Block Development Officer,
Vandalur Taluk,
Guduvanchery, Chengalput District.

...Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 28.06.2024 made in W.P.No.17164 of 2024.

For Appellant : Mr.R.Chandrasekaran



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J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

The appellant sought for a direction to the respondents to consider her representation dated 15.04.2024 seeking compassionate appointment. The Writ Court dismissed the petition on the ground of laches. The appellant's mother died in harness on 30.07.2001. It is seen from the records that an application was made by the father of the appellant, soon after the death of the mother i.e., on 15.09.2001 seeking compassionate appointment to one of the heirs.

2. Admittedly, all the children were minors at that time. The appellant, who was born on 27.10.1998 completed the age of 18 on 27.10.2006 but, she did not seek compassionate appointment immediately after attaining majority. She made an application nearly after 11 years i.e., on 24.07.2017 and thereafter, she made a representation on 15.04.2024. After making the representation dated 15.04.2024, the petitioner sought for mandamus as stated above. The Writ Court has dismissed the writ petition on the ground that the issue is covered by the judgment of a Full Bench of this Court in W.P(MD).NO.7016 of 2011 dated 11.03.2020.



3. The learned counsel for the appellant would seek to rely upon the judgment of a Division Bench of this Court in ***Chairman-cum-Managing Director, Tamil Nadu Generation and Distribution Corporation Limited and others Vs. M.Seetha*** made in **W.P.No.1444 of 2024** dated **03.07.2024** wherein, the Division Bench has confirmed the order of the writ court, directing grant of compassionate appointment to the respondent therein, on the ground that she had applied immediately after she had attained majority.

4. The facts before the Division Bench are vastly different from the case on hand. There the employee died on 30.07.2014 and an application was made on 31.03.2017 seeking appointment and the Corporation returned the application on 10.04.2017, on the ground that the son had not completed 18 years of age. The said communication also further stated that the respondent could seek appointment on compassionate ground for her son, after completing 18 years of age. In such circumstance, when the application was made after the son attained majority, the Division Bench directed the compassionate appointment so, the said judgment will not apply to the facts of the present case. Admittedly, the appellant was 34 years old



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when she sought for compassionate appointment. We are, therefore, unable to fault the writ court for having dismissed the writ petition. This Writ

Appeal therefore, fails and it is accordingly, **dismissed**. No costs.

Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (G.A.M., J.)
12.02.2025

kkn

Index: No

Speaking order

Neutral Citation : No



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