



WEB COPY

W.A.No.1219 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2025

CORAM:

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

W.A.No. 1219 of 2025
and CMP No.9275 of 2025

The District Collector,
Chengalpattu District.

... Appellant

Vs.

M.Rajagiri

...Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside
the order passed in WP No.24439 of 2022 dated 19.12.2023.

For Appellant : Mr.K.H.Ravikumar
Government Advocate

For Respondent : Mr.S.P. Sudalaiyandi



JUDGMENT

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

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Challenge is to the order of the Writ Court quashing the order of the appellant dated 24.08.2022 and directing the appellant to appoint the respondent to a suitable post on compassionate grounds.

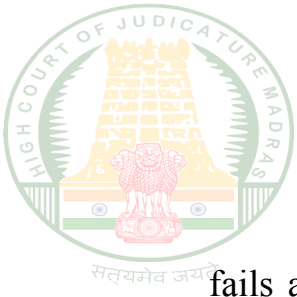
2. This is a second round of litigation. Earlier, when the claim for compassionate appointment was rejected on the ground that it was not made within time, the respondent challenged the same by way of WP No.954 of 2017 and the said Writ Petition came to be dismissed on 31.08.2017, however on Appeal the order was reversed and after recording a specific finding to the effect that the application was in time, the Division Bench directed the Appellant to reconsider the claim for compassionate appointment. Pursuant to the said direction, the order impugned in the Writ Petition dated 24.08.2022 came to be passed. This time the rejection was based on the fact that the family is in affluent circumstances, since it was shown that the family owned certain extent of agricultural land in Anaikunnam Village.



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3. The Writ Court had, during the pendency of the Writ Petition, required the Authorities to enquire into the income that would be derived from the lands. Upon instructions, the Special Government Pleader had submitted before the Writ Court that the lands do not fetch any income. Once the lands do not fetch any income mere ownership of lands cannot form the basis for the conclusion that the family is an affluence circumstance. The question of delay was decided in the earlier round in Writ Appeal No.1435 of 2018.

4. The issue relating to the financial status of the family was also considered by the learned Single Judge and upon a report by the Special Government Pleader, the Writ Court has come to the conclusion that the family was not in affluent circumstances. Hence we are unable to fault the Writ Court for having allowed the Writ Petition and it is also seen from the proceedings dated 20.03.2025 that the order of the Writ Court has been complied with.



5. Hence, we see no reason to entertain the Appeal, the Writ Appeal

fails and it is accordingly dismissed. There shall be no order as to costs.

Consequently, the connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) (G. ARUL MURUGAN, J.)
17.04.2025

jv

Index : No
Neutral Citation : No
Speaking order

To

The District Collector,
Chengalpattu District.



WEB COPY

W.A.No.1219 of 2



R.SUBRAMANIAN, J.
and
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jv

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