



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P.No.40079 of 2025

E.Janani

: Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary to the Government,
School Education Department,
Fort St.George, Chennai-600 009.

2.The Joint Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

3.The Chief Educational Officer,
Salem-636 002.

4.The District Educational Officer,
Salem-636 002.

5.The Headmaster,
Government Boys Higher Secondary School,
Attur Town Circle,
Salem -636 102.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the third respondent vide Na.Ka.No.19955/A1/2023 dated 08.11.2023 and quash the same and consequently direct the respondents to appoint the petitioner any suitable post, on compassionate ground, commensurate with her educational qualification, within a time frame fixed by this Court.



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For Petitioner : Mr.S.N.Ravichandran

For Respondent : Mr.S.Prabhakaran
Government Advocate

ORDER

This writ petition has been filed challenging the order passed by the third respondent dated 08.11.2023 thereby rejected the request made by the petitioner seeking compassionate appointment on the demise of her father on 11.05.1999.

2. The petitioner's father who working as a Physical Education Teacher in the fifth respondent School died on 11.05.1999, leaving behind the petitioner and her mother as his surviving legal heirs. Immediately, after the demise of his father, her mother submitted an application on 30.07.2001 before the fourth respondent seeking suitable appointment on compassionate grounds. Since there was a ban on compassionate appointment between the period from 2001 to 2006, her application was kept in abeyance. Thereafter, the application submitted by the petitioner's mother was returned for want of certain compliance. Once again it was resubmitted. However, her mother did not represent the application for employment and sought for alternative employment to the petitioner. The petitioner had completed her +2 in the year 2006 and thereafter, made an



application on 22.11.2006 before the fourth respondent seeking compassionate appointment. Once again her application was also returned by the communication dated 06.03.2007 since the petitioner failed to attach certificates to the effect that no one from her family were currently employed. It was represented and once again it was returned by the communication dated 21.03.2009 on the ground that the petitioner failed to submit the indigent certificate and also genuineness of her educational qualification. She has obtained genuineness certificate of her education qualification and submitted application. Now the application submitted by the petitioner was rejected on 08.11.2023 on the ground that her father died on 11.05.1999. Her mother applied for appointment on compassionate ground and thereafter, she sought for alternative employment to the petitioner, who being the daughter of the deceased. After 2006, there was delay of 13 years to submit the relevant documents. Further, as per GOMs No.120, within three years from the date of demise, an application should be made and the maximum age was fixed at 50 years for employment on compassionate ground. The G.O.Ms No.80 dated 23.01.2020 has been prescribed in the earlier Government Order in G.O.Ms.No.120, whether the conditions imposed in that Government Order could be taken into account or not. Further, now the petitioner is aged about 37 years and there is no proof to show that the petitioner is married or not. After a period of 26 years, the case of the petitioner seeking appointment on compassionate ground cannot be considered. The intention of the legislature to appoint a person on

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compassionate ground is that to give immediate relief to the bereaved family after demise of the sole breadwinner that is within a period of three years. Now, after a period of 26 years, it cannot be said that the family of the petitioner is under the financial crisis. Therefore, the application submitted by the petitioner seeking appointment on compassionate ground was rightly rejected. Moreover, the order was passed on 08.11.2023 after a period of 2 years, the writ petition has been filed without any reason for delay.

3. In view of the above, this Court finds that there is no infirmity or illegality in the order passed by the third respondent. The writ petition is devoid of merits and therefore, the writ petition stands dismissed. No costs.

28.10.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn



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To

- 1.The Secretary to the Government,
The State of Tamil Nadu,
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G.K. ILANTHIRAIYAN, J.

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