



W.P.No.40650 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.40650 of 2025

N.Jayapriya

... Petitioner

Vs

1. The District Collector,
Villupuram District,
Villupuram.

2. The Block Development Officer,
Panchayat Union,
Vallam,
Villupuram District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the order dated 22.09.2025 made in Na.Ka.No.Pa A/3790968/2025 on the file of the first respondent herein and quash the same and consequently, direct the respondents to appoint the petitioner in any one of the posts commensurate with her educational qualification on compassionate ground in any one of the Government Departments.



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For Petitioner : Mr.C.Munusamy

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader (for R1)
Mr.V.Jeevagiridharan,
Additional Government Pleader (for R2)

O R D E R

This writ petition has been filed challenging the order passed by the first respondent dated 22.09.2025, thereby rejecting the request of the petitioner seeking appointment on compassionate grounds.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The petitioner's brother was working as a Junior Assistant at Panchayat Union Office, Vallam, Villupuram District. While the petitioner was in service, he died on 08.12.2024, leaving behind his father, mother, two brothers and sister as his legal representatives. The petitioner had studied upto 10th standard and applied for a compassionate appointment on the demise of his brother, and her brother died as bachelor. The petitioner is



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a married woman. But she applied for appointment on compassionate grounds on the demise of her brother. It was rejected on the ground that the petitioner is not entitled to be appointed on compassionate grounds on the demise of her brother. The petitioner is being a married woman and she was not depended on her brother at any point of time.

4. The learned counsel for the petitioner submitted that she is fully eligible for compassionate appointment as per G.O. (Ms).No.18, Labour and Employment Department, dated 23.01.2020. Even a married sister is entitled for appointment under the compassionate grounds. The learned counsel for the petitioner also relied upon the judgement of this Court in ***P.Pandi Selvam Vs. Chief Engineer-Personnel (W.P.No.645 of 2008 dated 29.01.2015)***, in which this Court relied upon G.O.Ms.No.134 (Labour and Employment) Department dated 22.10.1998. Accordingly, the petitioner is also entitled for suitable appointment on compassionate grounds.

5. The learned Special Government Pleader appearing for the first respondent would submit that the request made by the petitioner was



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rejected on the ground of G.O. (Ms).No.18, Labour and Employment Department, dated 23.01.2020 and G.O. (Ms).No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023. Since the petitioner is a married person and as such, she is not entitled for any appointment on compassionate grounds.

6. On perusal of the judgement of this Court in ***P.Pandi Selvam's case*** (cited supra) relied upon by the petitioner, it reveals that this Court issued directions to consider the case of the petitioner seeking appointment on compassionate grounds by stating G.O.Ms.No.134 (Labour and Employment) Department dated 22.10.1998. But it is pertinent to note that the petitioner was an unmarried brother in that case. The said Government Order is clear that an unmarried brother or sister of an unmarried Government servant shall be considered for appointment on compassionate grounds on the demise of such Government servant. Therefore, the above judgement and the Government Order cited by the petitioner are not applicable to the present case.



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7. In the case on hand, admittedly, the petitioner is a married women and she is aged about 38 years. The said G.O. (Ms).No.18, Labour and Employment Department dated 23.01.2020, issued guidelines in respect of appointment on compassionate grounds. Accordingly, the compassionate appointment shall be made to the post in C and D groups. Further, the family shall be in indigent circumstances to be eligible for compassionate appointment.

8. In the regard, the relevant portion of the said G.O. (Ms).No.18, Labour and Employment Department dated 23.01.2020, which reads as follows:-

**“THE LEGAL HEIRS/NEAR RELATIVES OF
THE DECEASED GOVERNMENT SERVANT/PERSON
WHO ARE ELIGIBLE FOR COMPASSIONATE:**

(i) Son/Unmarried daughter/wife/husband/legally adopted son/legally unmarried adopted daughter/widowed daughter/divorced daughter/deserted daughter of the deceased Government servant.



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(ii) Father/mother and unmarried brothers and unmarried sisters of the unmarried deceased Government servants.

(iii) Married daughter of the deceased Government servant who is otherwise eligible.

(iv) If any person, in the deceased Government servant's family was employed even before the death of the Government servant but was living separately without extending any help to the family, then the case of other eligible dependant will considered.

(v) If any dependant/dependants of deceased Government servant is/are employed in Military service, one of the other dependents is eligible for appointment under compassionate ground.

(vi) If any member of the deceased Government servant's family is working on temporary/part time basis such as noon-meal organizer and helpers, and those who work on daily wages, the other dependents of the family may be considered for providing appointment.”

Thus, it is clear that unmarried brothers and unmarried sisters of unmarried deceased Government servants are eligible for appointment on compassionate grounds.



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9. Admittedly, the petitioner is a married woman and she is living with her husband. She was not dependent on her unmarried brother at any point of time. After her marriage, she has been continuously living with her husband to this day. Therefore, the petitioner is not entitled to be appointed on compassionate grounds. Hence, the request made by the petitioner was rightly rejected and this Court finds no infirmity or illegality in the order passed by first respondent.

10. In the result, this Writ Petition is dismissed. No costs.

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Index:Yes/No
Neutral Citation/Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

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