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W.A No. 3406 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2025

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THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No.3406 of 2025

and

C.M.P.No.27750 of 2025

S.V.Parthasarathi

S/o.Vithyadharan

..Appellant

Vs

1. The State of Tamil Nadu
Rep. by the Secretary to Government
School Education Department
Secretariat, Chennai-09.
2. The Director of School Education
Directorate of School Education Office
No.17, College Road, Subba Road Avenue
Nungambakkam, Chennai-600 06.
3. The Joint Director (Staff Section)
of School Education
Directorate of School Education
DPI Campus, College Road
Nungambakkam, Chennai-600 006.



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4. The Chief Educational Officer
Chief Educational Officer
Government Higher Secondary School Campus
Mohanur Road, Namakkal HO
Namakkal District - 637 001.
5. The District Educational Officer
District Educational Officer
Government Higher Secondary School Campus
Mohanur Raod, Namakkal HO
Namakkal District - 637 001.
6. The Assistant Elementary Educational officer
Assistant Elementary Educational Office
Government Higher Secondary School Campus
Mohanur Road, Namakkal HO
Namakkal District - 637 001.

..Respondents

Writ Appeal is filed under Clause 15 of Letter Patent to allow the writ appeal and to set aside order dated 18.08.2025 passed in W.P.No.30941 of 2025

For Appellant : Ms.S.Esai Rani Narasimman

For Respondents : Mr.S.Yashwanth

Additional Government Pleader

J U D G M E N T

(Made by **HEMANT CHANDANGOUDAR, J.**)

The challenge in this intra-court appeal is directed against the order dated 18.08.2025 passed by the learned Single Judge in W.P. No. 30941 of 2025. By the said order, the learned Single Judge dismissed the writ petition filed by the



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appellant/writ petitioner, challenging the order passed by the third respondent rejecting the appellant's claim for appointment on compassionate grounds.

2. Facts of the case:

2.1. The appellant's father, while serving as a Teacher in an Elementary School, passed away on 11.07.2004 while in service. The appellant's mother had predeceased her husband on 14.07.2000. After her demise, the appellant's father contracted a second marriage and through his second wife, had a daughter. Following the death of the appellant's father, the appellant was cared for and brought up by his stepmother.

2.2. The appellant contends that his stepmother, on his behalf, submitted a representation dated 01.12.2006 to the respondents, seeking appointment on compassionate grounds. However, the said representation was not acted upon. Instead, the sixth respondent, by communication dated 06.12.2006, directed that a fresh application be submitted after the disbursement of pensionary benefits.

2.3. Upon attaining the age of majority, the appellant submitted a fresh representation dated 10.10.2022 requesting compassionate appointment. Since no action was taken on this representation, the appellant approached this Court by filing W.P. No. 6869 of 2023. Pursuant to the directions issued in the said writ



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petition, the respondents considered the representation and ultimately rejected it by passing the impugned order. Aggrieved thereby, the appellant filed W.P. No. 30941 of 2025, which came to be dismissed by the learned Single Judge. Hence, this appeal.

3. Heard Ms. S. Esai Rani Narasimman, learned counsel for the appellant, and Mr. S. Yashwanth, learned Additional Government Pleader, appearing for the respondents.

4. Ms. Esai Rani Narasimman, learned counsel for the appellant, submitted that the appellant's stepmother had duly submitted a representation as early as in 2006, immediately after the death of the employee, and that the same was not considered by the authorities. She contended that upon attaining majority, the appellant promptly made a fresh representation in 2022 and that the delay, if any, cannot be attributed to him. Learned counsel further submitted that the purpose of the scheme for compassionate appointment is to provide relief to the bereaved family and that, having satisfied all the eligibility criteria, the appellant ought to have been considered for such appointment. It was argued that the learned Single



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Judge failed to properly appreciate these aspects and therefore the impugned order warrants interference.

5. Mr. S. Yashwanth, learned Additional Government Pleader, on the other hand, submitted that the learned Single Judge rightly rejected the appellant's claim after noting that the request for compassionate appointment was made after an inordinate delay of 17 years. He further submitted that the very object of the compassionate appointment scheme — namely, to provide immediate financial relief to the bereaved family — stood defeated by the lapse of time and that the impugned order is perfectly justified.

6. This Court has carefully considered the rival submissions advanced by the learned counsel on both sides and perused the materials placed on record.

7. The learned Single Judge, upon detailed consideration, found that the appellant's stepmother had indeed submitted a representation in 2006, but no follow-up action was taken by her thereafter. It was only after a lapse of 17 years that the appellant made a fresh representation in 2022, seeking employment on



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compassionate grounds. The authority concerned rejected the request on the ground of inordinate delay, which is contrary to the very spirit of the compassionate appointment scheme.

8. The learned Single Judge, while dismissing the writ petition, placed reliance on the judgment of the Hon'ble Supreme Court in ***Canara Bank v. G.K. Ajith Kumar***, reported in ***AIR 2025 SC 1232***, wherein it was held that the scheme of compassionate appointment is intended to tide over the immediate financial crisis arising out of the sudden death of the earning member of the family. The Court further observed that such appointment cannot be claimed as a matter of right after the lapse of a considerable period of time, when the family is no longer in financial distress. The learned Single Judge found that in the present case, the essential ingredients for invoking compassionate appointment namely, the existence of immediate indigent circumstances were absent, and hence rejected the appellant's claim.

9. In light of the above discussion, this Court is of the considered view that the impugned order passed by the learned Single Judge is in strict conformity



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with the principles laid down by the Hon'ble Supreme Court in the case of ***Canara Bank v. G.K. Ajith Kumar (supra)***. The appellant's claim made after a lapse of 17 years cannot be entertained, as it defeats the very purpose of the compassionate appointment scheme.

10. Accordingly, the Writ Appeal is found to be devoid of merit and is dismissed. Consequently, the connected miscellaneous petition stands closed. There shall be no order as to costs.

(R.S.K.,J) (H.C., J)
12.11.2025

Index : Yes / No
Internet : Yes/No
Neutral Citation : Yes / No

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