



WEB COPY



W.P.No.42716 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.42716 of 2025
and
W.M.P.No.47784 of 2025

Sathish Kumar

... Petitioner

Versus

1. The State of Tamil Nadu,
Rep. by Principal Sanction,
Commercial Tax Department, Secretariat, Chennai – 9.

2. The Deputy Commissioner,
Commercial Tax Department, Azhagapuram, Salem, Salem District.

3. The Joint Commissioner,
Commercial Tax Department, Azhagapuram, Salem, Salem District.

4. The Assistant Commissioner,
Commercial Tax Department,
Azhagapuram, Salem, Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order dated 23.07.2025 in Na.Ka. No.500/2021/A2 passed by the 4th respondent and quash the same, consequently direct the 4th respondent to appoint the petitioner on compassionate ground.



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For Petitioner : Mr. K. Balu,
for Mr. V. Sujan
For Respondents : Mr. T.N.C. Kaushik,
Additional Government Pleader (Taxes)

ORDER

This Writ Petition has been filed challenging the order passed by the fourth respondent dated 23.07.2025, thereby the request made by the petitioner seeking appointment on compassionate ground was rejected.

2. The petitioner belongs to a Schedule Caste Community. The petitioner's father was employed as a Sanitary worker in the second respondent Department and died on 12.04.2021, leaving behind the petitioner, one brother, and two sisters as his legal heirs. Therefore, the petitioner submitted an application seeking appointment on compassionate grounds in the prescribed form, after obtaining No Objection Certificates from the other legal heirs. However, the said request was rejected on the ground that the petitioner is working as a temporary staff in the Tamil Nadu Squash Rackets Association and earning a sum of Rs.41,750/- per month, and hence, the petitioner's family was not in indigent circumstances.



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3. The learned counsel for the petitioner submitted that the petitioner has studied upto 8th Standard, and he had been employed under the Squash Academy only temporarily. Further, he contended that the petitioner was receiving only a meager salary, which was insufficient to eke out his day to day expenses, and therefore, the said income cannot be treated as a substantial earning. It is also submitted that the petitioner has since resigned from the said post, and that his family is now living in indigent circumstances.

4. I have heard the submissions made by the learned counsel on both sides and perused the materials available on record.

5. In view of the above submissions, and upon perusal of the records, this Court is of the considered opinion that the impugned order dated 23.07.2025 passed by the fourth respondent cannot be sustained. Accordingly, the matter is remanded back to the fourth respondent for fresh consideration of the petitioner's request for appointment on compassionate grounds.

6. It is made clear that the fourth respondent shall verify the present employment status of the petitioner and the financial condition of the family,



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and thereafter pass orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above observations and directions, the Writ Petition stands allowed. No costs. Consequently, the connected miscellaneous petition is also closed.

06.11.2025

Index : Yes/No

Speaking/Non-Speaking Order

Neutral Case Citation : Yes/No

klt

To

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G.K.ILANTHIRAIYAN. J,

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