



W.A(MD)No.2994 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.10.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND

THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.A(MD)No.2994 of 2025

Kaleeswaran

... Appellant

Vs.

1.The Commissioner of Revenue Administration,
Chepauk,
Chennai.

2.The District Collector,
Sivagangai District,
Sivagangai.

... Respondents

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order made in W.P.(MD)No.12738 of 2021 dated 09.03.2022 on the file of this Court and allow the Writ Appeal.



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For Appellant : Mr.M.S.Jeyakarthish

For Respondents : Mr.S.P.Maharajan

Special Government Pleader

JUDGMENT

(Judgment of the Court was made by **DR.ANITA SUMANTH, J.**)

The appellant had filed the Writ Petition challenging the order dated 19.05.2021 passed by the District Collector, Sivagangai, rejecting the claim of the appellant for compassionate appointment.

2.The father of the appellant was working as a Village Assistant and passed away in harness on 15.06.2009. The appellant's elder brother, one Mr.Sakthiselvan sought compassionate appointment on two occasions ie., on 08.07.2009 and 29.10.2010. Though his applications were considered, he did not opt to avail the compassionate appointment, since he had been employed as a driver in the Transport Corporation in 2013.



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3.While so, there appears to have been a family dispute, on account of which, the mother of the appellant preferred to pursue compassionate appointment on behalf of the appellant/her younger son. Hence, she submitted an application on 11.07.2011 seeking compassionate appointment for the appellant.

4.Vide proceedings in Na.Ka.No.A2/Si.Pa.120-2011, dated 21.09.2011, her application had been rejected. However, she did not challenge the same and hence, the rejection of the appellant's mother's application dated 11.07.2011 has become final. Thereafter, the appellant appears to have revived the request by submitting a representation on 23.03.2020. That representation came to the rejected by way of order dated 19.05.2021, assailing which, the writ petition had been filed.

5.The writ Court rejected the plea, being of the opinion that the application was belated, as G.O.Ms.No.18, Labour and Employment (Q1) Department, dated 23.01.2020, prescribes a limit of three years for submitting an application for compassionate appointment. We agree with the finding of the Writ Court that the application has been rightly



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rejected, as being beyond time.

6.The writ Court has also rejected the claim on the ground that a subsequent or alternate application cannot be made by another legal heir once one of the legal heirs has applied. G.O. 18 stipulates, under the heading, 'Alternative Application', that an application from another legal heir of the deceased employee may be accepted if the original applicant had passed away after making the application.

7.We would think that the provision for receiving an alternate application would also be available in circumstances where the original applicant did not pursue the application for other bonafide and genuine reasons, provided of course, that the subsequent applicant satisfied the eligibility criteria and other conditions stipulated under G.O.Ms.No.18.

8.However, the crucial factor in this case is that the family of the deceased has been able to sustain itself for a period of about 16 years after the demise of the employee in 2009. The very object of providing compassionate appointment is to relieve the family of the deceased employee from immediate financial distress. When the family has been in



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a position to manage its affairs for such a long period, it cannot be said that the condition of indigence continues to exist, to justify appointment on compassionate grounds even now.

9.For the aforesaid reasons, we sustain the order of the writ Court and the Writ Appeal is dismissed. No costs.

[A.S.M.J.] & [C.K.J.]
25.10.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes
ps

To

1.The Commissioner of Revenue Administration,
Chepauk,
Chennai.

2.The District Collector,
Sivagangai District,
Sivagangai.



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