



WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 04.04.2025**

**CORAM:**

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN  
AND  
THE HON'BLE MS JUSTICE R.POORNIMA**

**W.A(MD)No.511 of 2020  
and  
C.M.P(MD)No.3613 of 2020**

- 1.The Government Chief Secretary,  
Secretariat of Tamil Nadu,  
Saint George Fort,  
Chennai -600 009, Tamil Nadu.
  - 2.The Principal Secretary,  
Environmental and Foest Secretariat of Tamil Nadu,  
Saint George Fort,  
Chennai -600 009, Tamil Nadu.
  - 3.The Chief Forest Officer,Dindigul Zone,  
No.5/829, Malligai Street,  
Cooperative Nagar,  
Dindigul, Tamil Nadu – 624 005.
  - 4.The District Forest Ofrcicer,  
Kodaikanal Division,  
Laws Ghat Road,  
Kodaikanal,  
Tamil Nadu – 624 101.
- ... Appellants/Respondents



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.Vs.

Jeevitha

... Respondent/Petitioner

**PRAYER:** Writ Appeal filed under Clause 15 of Letters Patent Act praying this Court to set aside the order of this Court made in W.P(MD)No.26842 of 2019, dated 28.02.2020.

For Appellants : Mr.D.Gandhiraj  
Special Govt.Pleader

For Respondent : No appearance

**JUDGMENT**

**DR.G.JAYACHANDRAN,J.**  
**AND**  
**R.POORNIMA,J.**

This Writ Appeal is directed against the order of the learned Single Judge made in W.P(MD)No.26842 of 2019, dated 28.02.2020.

2.Heard the learned counsel for the appellant and perused the materials placed before this Court.

3.The appellant is the daughter of A.Thanikodi, who died in harness on



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11.08.1992 while serving as Forest Guard under the third respondent. The second wife of the deceased Government servant made an application for compassionate appointment on 24.03.1998 and that was not considered favourably. The second application made by her on 17.02.2000 and that was also not considered and rejected. While so, this Petitioner after attaining the age of 21 years, made an application for compassionate appointment on 25.05.2006 which was considered and rejected on 05.10.2007. The fourth application for compassionate appointment made on 07.03.2019 was rejected on 22.04.2019. Thereafter, the Writ Petition was filed, in which, the learned Single Judge after considering the facts and the judgments of this Court and the Honourable Supreme Court, passed a positive order to give compassionate appointment within four weeks. Hence the present Writ Appeal filed by the State on the ground that the application for compassionate appointment by the respondent herein was made after 33 years of the death of the Government servant. After rejecting the same in the year 2007, fresh application was made after 12 years. Even the very first application made by the second wife of the Government servant was not within the period of three years. While so, the learned Single Judge, had issued a positive direction to give compassionate appointment considering the true spirit of granting compassionate



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appointment to the family members, who suffered due to the sudden demise of the public servant.

4.This Court, considering the facts of the case, find that the order of the learned Single Judge fails the test of appointing a person through back-door on the ground of compassionate appointment. Compassionate appointment is not a matter of right and it is meant to lend a helping hand to the distress family due to the sudden demise of the earning member in the family due to harness. The said test is not cleared in the case of the respondent, who wants to be appointed through back-door appointment, under the guise of compassionate appointment after a period of 33 years.

5.For the reasons aforesaid, the Writ Appeal stands dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

**[G.J.,J.] [R.P.,J.]**  
**04.04.2025**



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NCS : Yes/No

Index : Yes / No

Internet : Yes / No

vsn



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**DR.G.JAYACHANDRAN, J.**  
**and**  
**R.POORNIMA, J.**

vsn

**JUDGMENT MADE IN**

**W.A(MD)No.511 of 2020**

**and**

**C.M.P(MD)No.3613 of 2020**

**04.04.2025**