



W.P.(MD).No.19392 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19392 of 2025

R.Santhini

... Petitioner

-VS-

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Social Welfare and Nutritious Meal Programme Department,
Secretariate, Chennai - 600 009.
2. The District Child Development Project Officer,
Additional Building, Collectorate, Nagercoil,
Kanyakumari District.
3. The Child Development Project Officer,
Child Development Project Office,
Munchirai Block,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 3rd respondent pertaining to its proceedings bearing Na.Ka.No.260/2020 dated 14-03-2025 and to quash the same and consequently direct the respondents to appoint the petitioner under the compassionate ground within a stipulated period that may be fixed by this Court.



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For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.K.Balasubramani

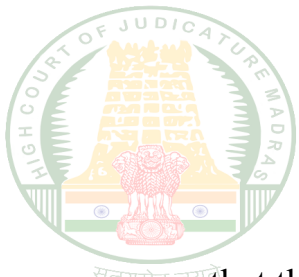
Special Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the 3rd respondent in Na.Ka.No.260/2020 dated 14-03-2025 with a consequential direction to the respondents to appoint the petitioner under the compassionate ground within a stipulated period that may be fixed by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The petitioner's mother, who was working as a 'Supervisor' under the third respondent, died in harness on 20.06.2006. The petitioner made an application dated 10.06.2009 in person to the third respondent to provide employment on compassionate ground. However, it was rejected orally saying that the service of the petitioner's mother had not been regularized and



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that the petitioner was not entitled to apply at the relevant point of time. After so many applications seeking compassionate appointment, finally the petitioner made an application dated 18.09.2024, which was rejected through the impugned order dated 14.03.2025. Challenging the same, this writ petition has been filed.

4. The case of the petitioner is that the service of the petitioner's mother had been regularized vide order dated 04.05.1992. However, without even considering the same, the petitioner's application seeking compassionate appointment has been rejected and hence, the petitioner came before this Court with the aforesaid prayer by way of this writ petition.

5. The learned Special Government Pleader appearing for the respondents submits that the petitioner's father was a government employee and he attained the age of superannuation in the year 2018. While a member of the family is in regular employment in Government, other members cannot seek appointment on compassionate ground, due to the harness death of the family member. In support of his contention, he relied upon a Government order in G.O.Ms.No.33, Labour Welfare and Skill Development (A1), dated 08.03.2023, wherein it is stated as follows:-



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“3.Eligibility for appointment.-

.....

(3) The eligibility of the family of a deceased or medically invalidated Government servant, for appointment on compassionate grounds, are subject to the following conditions, namely:-

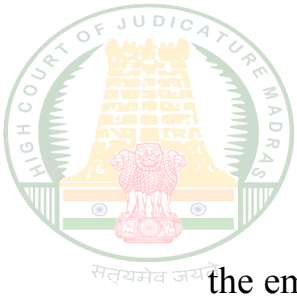
(a) The family must be in indigent circumstance.

(b) No member of the family shall be in regular employment in Government or any private enterprise.

.....”

6. As per Rule (3)(b) of the Tamil Nadu Government's Compassionate Appointment Rules, no member of the family shall be in regular employment in Government or any private enterprise. In the case on hand, the petitioner's father was working as 'Assistant Block Development Officer' in the Rural Development and Panchayat Raj Department and he attained the age of superannuation in the year 2018, nearly about 12 years after the death of the petitioner's mother.

7. The purpose of compassionate appointment is to provide immediate financial assistance to family, which has lost its breadwinner and therefore, the request for compassionate appointment should therefore be proximate to



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the employee's death. Compassionate appointment is not a bonanza or another source of recruitment. It cannot be claimed as a matter of right.

8. In view of the aforesaid observations, this Court is of the considered view that there is no infirmity in the impugned order dated 14.03.2025. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

17.07.2025

NCC : Yes/No
Index : Yes / No
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TO:-

1. The Principal Secretary,
Social Welfare and Nutritious Meal Programme Department,
Secretariate, Chennai - 600 009.
2. The District Child Development Project Officer,
Additional Building, Collectorate, Nagercoil,
Kanyakumari District.
3. The Child Development Project Officer,
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.19392 of 2025

Dated:
17.07.2025