



W.P.(MD)No.19538 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19538 of 2025

K.Roothganga

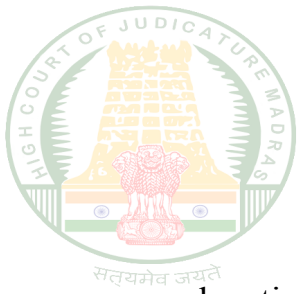
... Petitioner

-VS-

- 1.The Principal Secretary,
Dept., of Rural Development and Panchayat Raj,
Fort. St. George,
Chennai.
- 2.The Commissioner,
Directorate of Rural Development and Panchayat Raj,
Panagal Building,
Chennai.
- 3.The District Collector,
Pudukottai,
Pudukottai District.
- 4.The Block Development Officer,
Karambakudi,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to consider the petitioner for the appointment under compassionate ground according to her



W.P.(MD)No.19538 of 2025

educational qualification, within the time that may be stipulated this Court based on her representation dated 05.07.2025.

For Petitioner : Mr.N.Kamesh

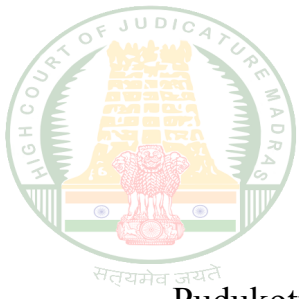
For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to consider the petitioner for appointment on compassionate grounds, in accordance with her educational qualifications, based on her representation dated 05.07.2025, within a time frame that may be stipulated by this Court.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. According to the petitioner, her father Kamaraj, who was serving as a Record Clerk cum Panchayat Assistant in the Oodappaviduthy Panchayat under Karambakudi Panchayat Union, Pudukottai District and whose services were regularized from 24.10.1997, passed away on 11.12.2022 while in service, leaving the petitioner and her mother in dire financial distress. The petitioner, who is now pursuing her third year B.A. (History) at Raja's Government College,



W.P.(MD)No.19538 of 2025

Pudukottai, is seeking compassionate appointment under the applicable Government Order.

4. It is further submitted that though the petitioner's father had two wives, the first matrimonial relationship with one Sumathi lasted only about 10 days and no children were born from that wedlock. The petitioner was born through the lawful second marriage with Kavitha on 22.08.2006 and the petitioner's birth certificate duly records Kamaraj as her biological father and various Government records also identify the petitioner and her mother as the legal heirs.

5. In the light of G.O.Ms.No.102, Rural Development and Panchayat Raj (ES) Department, dated 13.07.2015, which provides for compassionate appointments to the legal heirs of Panchayat employees, who die while in service, the petitioner seeks compassionate appointment. Despite submitting a representation on 05.07.2025, no action has been taken. Therefore, the petitioner prays for a direction to the third respondent to consider her case for compassionate appointment in accordance with law and within a time frame to be fixed by this Court.



W.P.(MD)No.19538 of 2025

WEB COPY

6. Heard both sides.

7. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

8. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioner's representation dated 05.07.2025, on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the third respondent to consider the same on its own merits.



W.P.(MD)No.19538 of 2025

WEB COPY

9. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No

18.07.2025

Index : Yes / No

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W.P.(MD)No.19538 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD)No.19538 of 2025

18.07.2025