



W.A(MD)No.2367 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A(MD)No.2367 of 2025

and

C.M.P(MD)No.13309 of 2025

T.Alagar

... Appellant/Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St. George,
Chennai 600 009.

2.The Director of Town Panchayat,
Kuralagam, Chennai-600 005.

3.The District Collector,
Sivaganga District,
Sivaganga.

4.The Executive Officer,
Ilayankudi Town Panchayat,
Ilayankudi Taluk,
Sivaganga District.

...Respondents/Respondents



W.A(MD)No.2367 of 2025

PRAYER: Writ Appeal filed under Clause XV of the Letters Patent Appeal, to set aside the order dated 01.08.2024 passed in W.P(MD)No.10521 of 2021.

For Appellant : Mr.Sailendrababu
For Respondents : Mr.S.P.Maharajan
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

Intra Court appeal on hand has been instituted to assail the writ order dated 01.08.2024 passed in W.P(MD)No.10521 of 2021.

2. The fact remains that the appellant, who is the writ petitioner, was appointed as Office Assistant on 03.10.2001 on compassionate appointment on account of the death of his father in service on 25.07.1995. After rendering about 18 years of service in the post of Office Assistant, the appellant was promoted to the post of Junior Assistant on 02.01.2020. The appellant made a representation long after his initial appointment seeking to appoint him in the post of Junior Assistant retrospectively with effect from the date on which, he was initially appointed as Office Assistant on 03.10.2001.

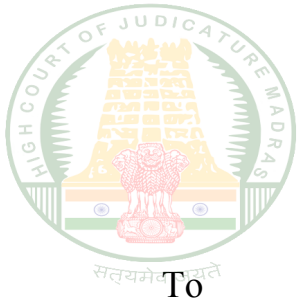


W.A(MD)No.2367 of 2025

3. The very claim of the appellant is stale and unsustainable. The appellant accepted the compassionate appointment in the post of Office Assistant, joined in the said post, served about 18 years as Office Assistant and secured promotion to the post of Junior Assistant on 02.01.2020. He cannot turn around and claim retrospective appointment in the post of Junior Assistant and such claim is unknown to the jurisprudence. The learned Single Judge has relied on the judgment of the Division Bench of this Court in the case of the ***District Collector vs.A.Karthikeyan in W.A(MD)No.1280 of 2019, dated 16.11.2023***. Since the appellant has not made out any *prima facie* case for entertaining the intra court appeal, the writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
19.08.2025

NCC : Yes / No
Index : Yes / No
am



W.A(MD)No.2367 of 2025

To
WEB COPY

- 1.The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The Director of Town Panchayat,
Kuralagam,
Chennai-600 005.
- 3.The District Collector,
Sivaganga District,
Sivaganga.
- 4.The Executive Officer,
Ilayankudi Town Panchayat,
Ilayankudi Taluk,
Sivaganga District.



WEB COPY



W.A(MD)No.2367 of 2025

S.M.SUBRAMANIAM, J.

AND

G.ARUL MURUGAN, J.

am

W.A(MD)No.2367 of 2025

19.08.2025