



WP(MD). No.23600 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29/08/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**WP (MD). No.23600 of 2025 and
WMP(MD) No.18521 of 2025**

Sundari

... Petitioner

Vs

1. The District Collector,
Tirunelveli District..

2. The Thasildar,
Radhapuram Taluk,
Tirunelveli District..

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 11.07.2024 passed by the 1st respondent in COLTNV/428/2019-A4 quash the same and consequently direct the respondents herein to provide suitable employment to petitioner on compassionate appointment within a stipulated time period in accordance with law.



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For Petitioner : Mr.M.Ramesh
For Respondents : Mr.K.Balasubramanian
Special Government Pleader

ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. This writ petition is filed challenging the impugned order dated 11.07.2024 passed by the 1st respondent in COLTNV/428/2019-A4 and consequently direct the respondents herein to provide suitable employment to petitioner on compassionate appointment within a stipulated time period in accordance with law.

3. The grievance of the petitioner is that the petitioner's father expired on 28.11.2018 due to illness, while in employment. Her father was working as Village Assistant. Including the petitioner, there are six legal heirs for the deceased father. While so, immediately after the death of the father, the petitioner's mother submitted an application seeking compassionate appointment for the petitioner on 28.12.2018 along with

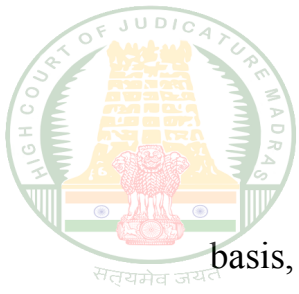


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necessary certificates including no objection certificate from other legal heirs. However, the respondents rejected the case of the petitioner vide impugned order dated 11.07.2024 on the ground that the petitioner being married is not entitled to be considered for appointment on compassionate grounds. Hence, the writ petition

4. The learned counsel for the petitioner would submit that indigent circumstances of the deceased family is to be looked into by the employer and the dependency ought to have been considered and when the petitioner is a dependant of the deceased, the entire family is in indigent circumstances. Hence, he prays for interference.

5. Per contra, the learned Special Government Pleader would submit that the issue is no longer res integra inasmuch as it has been decided by the Division Bench of this Court that the married daughter is not entitled to seek any appointment on compassionate grounds and that she is not the dependant of the family. To that extent, the respondent has also issued a detailed Government orders vide G.O.Ms.No.33 dated 08.03.2023 pursuant to the order of the Division Bench. Hence, on that



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basis, the impugned order of rejection has been passed and prays for dismissal.

6. I have considered the rival submissions and perused the materials available on record.

7. At the outset, it is to be pointed out that the issue arises for consideration in this writ petition is no longer *res integra* in view of the order of the Division Bench of this Court. Pursuant to the said decision of this Court, the Government has also issued G.O.Ms.No.33 dated 08.03.2023, in and by which, the Government has categorically held that the married daughter is not entitled to be considered for appointment on compassionate grounds. It is also to be noted that as per Rule position also, since the petitioner is a married daughter, her case could not be considered.



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8. In view of the above, no grounds are made out to interfere with the impugned order of the respondents. Accordingly, the Writ petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

14.08.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The District Collector,
Tirunelveli District..

2. The Thasildar,
Radhapuram Taluk,
Tirunelveli District.



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M.DHANDAPANI,J

RR

**ORDER
IN
WP(MD) No.23600 of 2025**

Date : 29/08/2025