



W.A(MD) No.1901 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) No.1901 of 2025

C.Theeneswaran

... Petitioner / Petitioner

Vs.

**1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Public Works Department,
Fort St.George,
Chennai-600 009.**

**2.The Engineer-in-Chief (General),
Public Works Department,
Chepuak,
Chennai-600 005.**

**3.The Executive Engineer,
Public Works Department,
Water Resources Organization,
Hydrologic Division,
Trichy-20.**

... Respondents / Respondents



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed by this Court in W.P.(MD)No. 22547 of 2021, dated 07.03.2022.

For Appellant : Mr.P.Ramachandran

For Respondents : Mr.A.Kannan
Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The writ petitioner's father was employed as temporary employee in the Public Works Department. He passed away on 02.03.2001. An application seeking compassionate appointment was submitted only on 04.05.2009. Since it was not considered, the appellant filed W.P.(MD)No.22547 of 2021. The learned single Judge vide order dated 07.03.2022 dismissed the writ petition in the following terms:-



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“3. This Court is of the considered opinion that when the rights are not established then this Court has to consider the facts and circumstances of the case. When a specific objection is raised and this Court found that the father of the petitioner was working as NMR and not a permanent employee then the scheme of compassionate appointment is not applicable to the legal heirs of the deceased temporary employee (NMR). Therefore, this Court is of the opinion that the petitioner is not entitled to avail the benefit of the scheme of the compassionate appointment. However, this order will not stand in the way of the authority to engage the petitioner as NMR, if he is otherwise eligible or the opportunities are available.”

Aggrieved by the same, this writ appeal has been filed.

3. The writ appeal has to be dismissed on two grounds :-

A. The application was not submitted in time.

B. The appellant's father was only an NMR employee and not a regular employee.

The Writ Appeal is dismissed. No costs.

(G.R.S., J.) (K.R.S., J.)
16.07.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

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To

- 1.The Principal Secretary,
Public Works Department,
Fort St.George,
Chennai-600 009.
- 2.The Engineer-in-Chief (General),
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Chepuak,
Chennai-600 005.
- 3.The Executive Engineer,
Public Works Department,
Water Resources Organization,
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