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W.A.(MD)NO.870 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.870 of 2020 AND

C.M.P.(MD)No.4789 of 2020

K.Linga Bose

... Appellant / Original petitioner

Vs.

1. The Chief Engineer (Personnel),
Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai -2.

2. The Superintendent Engineer,
Sivagangai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Sivagangai.

... Respondents / Original Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order passed by this Court in W.P.(MD)No.10461 of 2010 dated 02.01.2018 and direct the respondents to appoint the petitioner on compassionate appointment basis in the respondents' Department.

For Appellant : Mr.V.Kannan

For Respondents : Mr.B.Ramanathan

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JUDGMENT

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The appellant is the writ petitioner. His father was working as watchman in Tamil Nadu Electricity Board. He passed away while in service on 25.10.1988. At that time, the appellant was hardly eight years old. After attaining majority, an application for appointment on compassionate ground was submitted. It was rejected on 23.01.2006. Challenging the same, the appellant filed W.P.(MD) No.10461 of 2010. The writ petition was dismissed vide order dated 02.01.2018. Aggrieved by the same, this writ appeal has been filed.

3. The issue raised in the writ appeal is no longer *res integra*. In the order dated **06.06.2025 in W.A.(MD)No.1425 of 2025 (B.Sugalosai Raja Vs. The District Collector, Pudukkottai District)**, it has been held as follows:-

“2.The appellant's father was working as Block Development Officer in Aranthangi Panchayat



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Union Office, Pudukottai District. He passed away while in service on 04.01.2016. The appellant herein who was born on 02.06.2001, was a minor when his father passed away. Three years period expired on 04.01.2019. The appellant attained majority only on 01.06.2019. Thus, the appellant attained majority only after the three years period and already expired. The appellant could not have been granted employment when he was a minor. It has already been held that right to seek compassionate appointment is not a heritable right to be considered and that appointment cannot ordinarily await the attainment of majority. The learned Single Judge had applied the settled principle of law to negative the appellant's request. The learned counsel for the appellant relies heavily on Tamil Nadu Civil Services (Appointment on Compassionate Grounds) Rules, 2023 issued vide G.O. (Ms)No.33 dated 08.03.2023. These rules cannot be retrospectively applied and will not come to the rescue of the appellant. Interference with the said order is not warranted and the writ appeal is dismissed. No costs."



Applying the aforesaid ratio, we sustain the order of the learned single Judge. This writ appeal stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
18th August 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

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