



W.P.(MD).No.26336 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.26336 of 2025

and

W.M.P(MD)No.20484 of 2025

Karthick

...Petitioner

Vs

1.The State of Tamil Nadu,
Rep by its Principal Secretary,
Backward Class, Most Backward Class
and Minority Welfare Department,
Secretariat,
Chennai.

2.The Director/commissioner,
Backward Class, Most Backward Class
and Minority Welfare Department,
Secretariat,
Chennai.

3.The District Backward Class Most Backward Class
and Minority Welfare Department,
Collectorate Campus,
Tenkasi 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 impugned communication in O.Mu.Gna.1-592-2020 dated



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26.07.2024 issued by the third respondent and quash the same as illegal and consequently direct the respondents to provide Compassionate appointment to the petitioner forthwith.

For Petitioner : Mr.A.Rajini

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This writ petition has been filed for a writ of Certioarified Mandamus to quash the impugned communication dated 26.07.2024 issued by the third respondent as illegal and consequently direct the respondents to provide Compassionate appointment to the petitioner forthwith.

2. The petitioner's claim for compassionate appointment, which arose due to the death of his father, was rejected on the ground that the petitioner's father had been working as a sweeper in a Special Time Scale of Pay and therefore, by applying G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department dated 08.03.2023, and hence the petitioner was not entitled for being considered for compassionate



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appointment.

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3. The learned counsel for the petitioner has drawn attention of this Court to the communication of the third respondent dated 12.01.2021, wherein the third respondent regularised the service of the petitioner's father from the date on which he was brought under the Special Time Scale of Pay i.e., on 22.12.2020.

4. As the petitioner's father had been regularised, the respondents cannot reject the claim of the petitioner by indicating that the petitioner's father was only under the Special Time Scale of Pay.

5. For the aforesaid reasons, the impugned order dated 26.07.2024 is set aside and the third respondent is directed to consider the claim of the petitioner by treating the petitioner's father as a regular employee. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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6. The writ petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

24.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

To:

- 1.The Principal Secretary,
Backward Class, Most Backward Class
and Minority Welfare Department,
Secretariat,
Chennai.
- 2.The Director/commissioner,
Backward Class, Most Backward Class
and Minority Welfare Department,
Secretariat,
Chennai.
- 3.The District Backward Class Most Backward Class
and Minority Welfare Department,
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K.KUMARESH BABU, J.

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