



WEB COPY



1

W.A.(MD)NO.375 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.375 of 2024 and
C.M.P.(MD)No.3260 of 2024

1. The District Collector,
Pudukottai District.
 2. The Assistant Director of Panchayat,
O/o.District Collectorate,
Pudukottai.
 3. The Block Development Officer,
O/o.Kunrandarkovil Panchayat Union,
Kunrandarkovil Post,
Kulathur Taluk,
Pudukkottai District.
- ... Appellants / Respondents
- Vs.

R.Arunkumar

... Respondent/ Writ petitioner

Prayer: Writ appeal filed under Clause 15 of the Letters Patent,
to set aside the order passed by this Court dated 25.07.2023 made in
W.P.(MD)No.17409 of 2023.

For Appellants : Mr.N.Satheesh Kumar,
Additional Government Pleader.
For Respondent : Mr.P.Ganapathi Subramanian

* * *

**JUDGMENT**

WEB COPY

Heard both sides.

2. The father of the writ petitioner was working as Panchayat Secretary. He passed away while working on 20.01.2021. Application for appointing the writ petitioner on compassionate grounds was submitted in time. Since it was not considered, W.P.(MD)No.17409 of 2023 was filed. The learned single Judge disposed of the writ petition on 25.07.2023 in the following terms:-

“8. This Court is inclined to direct the respondents to consider the petitioner's application, dated 21.04.2022 to provide with employment to the petitioner in the light of G.O.(Ms)No.33 of the Labour Welfare and Skill Development Department, dated 08.03.2023, within a period of twelve (12) weeks from the date of receipt of a copy of this order.”

3. Aggrieved by the same, the District Administration has filed this writ appeal.



4. The learned Additional Government Pleader is right in his contention that a positive direction for granting appointment could not have been issued. These are matters in which seniority principle will have to be followed. Vacancies also should be available. We therefore modify paragraph No.8 of the order of the learned single Judge and direct the first appellant / District Collector, Pudukkottai District to consider the writ petitioner's application dated 21.04.2022 as per the relevant rules. If the writ petitioner fulfils all the norms, he will have to be necessarily issued with appointment order. Of course the writ petitioner has to stand in the queue and wait for his turn. This writ appeal stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
8th August 2025

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

PMU



WEB COPY



4

W.A.(MD)NO.375 OF 2024

G.R.SWAMINATHAN, J.

AND

K.RAJASEKAR, J.

PMU

W.A.(MD)No.375 of 2024

08.08.2025