



WP(MD). No.29023 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 15/10/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.29023 of 2025

and

WMP(MD)Nos. 22493 and 22495 of 2025

S.Sakthi

... Petitioner

Vs

1. The State of Tamil Nadu,
The Secretary to Government,
Personal and Administrative Reforms Department,
Secretariat, Chennai - 600 009.

2. The Additional Chief Secretary to Government,
Labour Welfare and Skill Development Department,
Secretariat, Chennai - 600 009.

3. The Commissioner,
Musiri Municipality,
Tiruchirappalli District,
Musiri - 621 211.

4. Musiri Municipality Rep. By,
The Chairman Musiri Municipality,
Tiruchirappalli District,
Musiri - 621 211.

... Respondents



WP(MD). No.29023 of 2025

PRAYER :-

WEB COPY

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 in connection with the Impugned Order passed by the 3rd respondent in his proceedings Na.Ka.No. 1116/2025/C1 dated 24.06.2025 and quash the same and direct the respondents to provide Compassionate appointment to the petitioner with effect from the date of her application with all the service and monetary benefits.

For Petitioner : Mr.R.Singaravelan,
Senior Counsel
Mr. D. Selvanayagam,
Advocate.

For Respondents : Mr.F.Deepak, - for R1 and R2
Special Government Pleader

Mr.A.N.Ramanathan - for R3 and R4

ORDER

This Writ Petition is filed to issue a Writ of Certiorarified Mandamus to call for the records in connection with the Impugned Order passed by the 3rd respondent in his proceedings Na.Ka.No. 1116/2025/C1 dated 24.06.2025 and quash the same and direct the respondents to provide Compassionate appointment to the petitioner with



WP(MD). No.29023 of 2025

effect from the date of her application with all the service and monetary benefits.

2. Learned learned Senior Counsel appearing for the petitioner would submit that as per Section 58 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 (hereinafter referred to as 'the Act'), the Government has powers to relax the qualifications for appointment. He would further submit that the condition of 40 years is contrary to the Act and also the reason for which the policy of Compassionate Appointments are being made. Hence, he would submit that the petitioner may be permitted to make a representation by invoking the powers of the Government under Section 58 of the Act, seeking for relaxation and that when such representation is made, the first respondent should consider the representation of the petitioner and thereafter the claim of the petitioner for compassionate appointment can also be considered.

3. Acceding the request made by the learned Senior Counsel appearing for the petitioner, this writ petition is disposed of with a



WP(MD). No.29023 of 2025

direction to the petitioner to submit a representation within a period of four weeks from today(15.10.2025), seeking relaxation by invoking the powers of the Government under Section 58 of the Act and when such representation is made, the first respondent shall consider the said representation as per the principles laid down for compassionate appointment and pass appropriate orders within a period of four weeks thereafter and if any order is passed in favour of the petitioner, consider the claim of the petitioner for compassionate appointment within a period of eight weeks thereafter.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

15.10.2025

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

pnn



WP(MD). No.29023 of 2025

WEB COPY

To

1. The Secretary to Government,
Personal and Administrative Reforms Department,
Secretariat, Chennai - 600 009.
2. The Additional Chief Secretary to Government,
Labour Welfare and Skill Development Department,
Secretariat, Chennai - 600 009.
3. The Commissioner, Musiri Municipality,
Tiruchirappalli District, Musiri - 621 211.
4. The Chairman Musiri Municipality,
Musiri Municipality, Tiruchirappalli District,
Musiri - 621 211.



WEB COPY



WP(MD). No.29023 of 2025

K.KUMARESH BABU, J.

pnn

ORDER
IN
WP(MD) No.29023 of 2025

Date : 15/10/2025