



WA(MD). No.1121 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 25/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.1121 of 2025
and CMP(MD) No.7054 of 2025

1.The General Manager,
Tamil Nadu State Transport Corporation
Tirunelveli Region,
Vannarpettai
Tirunelveli District

2.The Assistant Manager (Appointments)
Tamil Nadu State Transport Corporation
Tirunelveli Region,
Vannarpettai
Tirunelveli District

3.The Branch Manager,
Tamil Nadu State Transport Corporation
Tiruchendur Depot
Thoothukudi District

... Appellants

v.

S.Devi

... Respondent

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 10.06.2024 in WP(MD). No.15347 of 2023.



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For Appellants : Mr.J,Ravindran
Additional Advocate General
assisted by Mr.K.Ramaiah

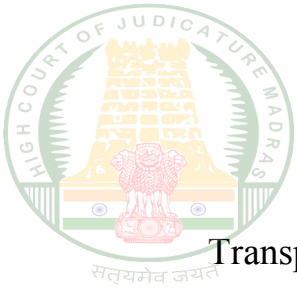
JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY,J.)

The writ appeal is directed against the order of the writ Court dated 10.06.2024 in WP(MD) No.15347/2023.

2. The respondents Corporation in the writ petition are the appellants herein.

3. The writ petition has been filed by the writ petitioner directing the respondent Corporation to give compassionate appointment to the writ petitioner by considering the representation dated 19.06.2020 and 21.06.2020. The writ Court directed the transport Corporation to accommodate the writ petitioner in any of the post suitable to her qualification which falls under the compassionate scheme and release the appointment order within a period of five weeks from the date of receipt of a copy of the order. Challenging the said order, the appellants



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Transport Corporation is before this Court.

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4. It is submitted by the Additional Advocate General appearing for the appellants that the writ petitioner is in seniority list in S.No.637 maintained by the corporation. While so, appointment cannot be given by skipping the said seniority list and hence, prays for appropriate direction.

5. Admittedly, the writ petitioner is entitled to compassionate appointment and she is in the seniority list in S.No.637 maintained by the transport corporation. When there is a seniority list, the corporation cannot skip the same and give appointment on compassionate grounds. If at all there is any urgency, then, the writ petitioner should approach the District Collector along with the seniority list to accommodate her in any other department apart from the transport corporation. There cannot be any positive direction to accommodate the petitioner by skipping the seniority list. Therefore, the writ appeal is allowed by setting aside the order passed by the writ Court. The writ petitioner is directed to submit an application before the District Collector, Thoothukudi District within



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a period of four weeks from the date of receipt of a copy of the judgment and the District Collector, Thoothukudi District, in turn, on receipt of the same, shall pass orders within a period of eight weeks thereafter.

6. Accordingly, the writ appeal stands allowed. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

25.04.2025

NCC : Yes/No

Index : Yes/No

RR

To

1.The District Collector
Thoothukudi District

2.The General Manager,
Tamil Nadu State Transport Corporation
Tirunelveli Region, Vannarpettai
Tirunelveli District

3.The Assistant Manager (Appointments)
Tamil Nadu State Transport Corporation
Tirunelveli Region, Vannarpettai
Tirunelveli District

4.The Branch Manager,
Tamil Nadu State Transport Corporation
Tiruchendur Depot, Thoothukudi District

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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WA(MD) No.1121 of 2025

Date : 25/04/2025