



WEB COPY

WP No. 2343 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 2343 of 2026

and W.M.P.No.2598 of 2026

N.Suresh

..Petitioner(s)

Vs

1. The Director of School Education Department,
Educational Department,
DPI Campus, Chennai-600 006.
2. The Chief Educational Officer,
Chengalpattu District,
Chengalpattu.
3. The District Primary Educational Officer,
Chengalpattu District,
Chengalpattu.
4. The Block Educational Officer,
Maduranthagam Block,
Maduranthagam.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned proceedings in R.C.No.4881/A1/2023 dated 05.08.2024 passed by the 2nd respondent, quash the same as illegal, arbitrary and ultra vires, and consequently direct the respondents to appoint the petitioner to any suitable post in the Tamil Nadu School Education Department, with all



attendant and monetary benefits.

For Petitioner(s) : Mr.N.Inbamaran

For Respondent(s) : Ms.Mythreye Chandru, SGP

ORDER

This writ petition is filed to call for the records pertaining to the impugned proceedings in R.C.No.4881/A1/2023 dated 05.08.2024 passed by the 2nd respondent, quash the same as illegal, arbitrary and ultra vires, and consequently direct the respondents to appoint the petitioner to any suitable post in the Tamil Nadu School Education Department, with all attendant and monetary benefits.

2. Learned counsel for the petitioner would submit that the petitioner's father was employed as Head Master in the Panchayat Union Elementary School Chengalpattu and died on 22.05.2001, leaving behind his legal heirs viz., his wife, petitioner and two daughters. Since the petitioner has completed Diploma in Mechanical Engineering in the year 1993, he has submitted an application for compassionate ground appointment on 22.10.2001 before the third respondent by enclosing all the relevant documents. Despite lapse of several years, the respondents failed to act upon the petitioner's application. Therefore, the petitioner sought information under RTI on 11.02.2011, wherein it was stated that his application is still pending before the higher authorities. Hence, he submitted a representation dated 07.02.2023 to consider his claim. However,



the same was not considered. Thereby, he filed a writ petition in W.P.No.20556 of 2023 seeking to consider the said representation and this Court vide its order dated 12.07.2023 issued a direction to the respondents therein to consider the same. However, the second respondent vide proceedings in R.C.No:4881/A1/2023 dated 05.08.2023, rejected the petitioner's claim on the ground that the application was not made within three years from the date of demise of petitioner's father and non production of requisite documents. Aggrieved over the said proceedings, the petitioner has come forward with the present writ petition.

3. Per contra, learned Special Government Pleader appearing for the respondents would submit that there is no entry in the records or proof, showing that the petitioner has submitted an application or original documents with the offices. Since he has not submitted his application with necessary documents, it is not possible for the respondents to consider the application for the post of Junior Assistant, as per G.O.Ms.No.151, School Education Department dated 09.09.2022. Accordingly, he prays for dismissal of this writ petition.

4. Heard the learned counsel on either side and perused the materials available on record.



5. The petitioner's father served as Head Master in the Panchayat Union Primary School, Chengalpattu and died in harness on 22.05.2001. Hence, the petitioner made application before the respondents for compassionate ground appointment on 22.10.2001, which was rejected on 05.08.2024. Hence, this writ petition. The compassionate ground appointment was given to the legal heirs only to remove the financial crises faced by the family. However, in the present case, the petitioner's father served as Headmaster and the petitioner's family has received a lump sum retirement benefit, including family pension. Under these circumstances, the petitioner made application in the year 2001 for compassionate ground appointment. Since the same was not considered, after a lapse of ten years, he made an application under Right to Information Act on 11.02.2011 and secured an information from the Assistant Elementary Educational Officer, who is not an authority to give a reply and the said reply was also not genuinely established before this Court. That apart, after a lapse of 12 years, the petitioner has made another representation dated 07.02.2023, which is not sustainable one. Therefore, the petitioner's claim for compassionate ground appointment after a lapse of two decades is unsustainable and contrary to G.O.Ms.No.18, Labour and Employment Department dated 23.01.2020.



6. Accordingly, this writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is also closed.

28-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VM

To:

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