



W.P.No.12788 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12 / 03 / 2026

Coram:

**THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MRS. JUSTICE K.GOVINDARAJAN
THILAKAVADI**

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1.The Union of India,
Rep. by the Chief Postmaster General,
Tamil Nadu Circle, Anna Salai,
Chennai - 600 002.

2.Senior Super Intendant of Post Offices,
Chennai City South Division,
Chennai - 600 017.

3.The Assistant Super Intendant of Post Offices,
Sub-Division-II,
Chennai City South Division,
Chennai - 600 017.

... Petitioners

Vs.

S.Balaji

... Respondent

Prayer: This Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorari to call for the records of the Tribunal in its impugned order dated 12.07.2023 in O.A.No.149 of 2021



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passed by the Central Administrative Tribunal, Chennai Bench and quash the same.

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For Petitioner : Mr.M.Karthikeyan

For Respondent : Mr.R.Malaichamy

ORDER

P.VELMURUGAN, J.

The present Writ Petition has been filed by the petitioners challenging the order dated 12.07.2023 passed by the Central Administrative Tribunal, Madras Bench in O.A.No.149 of 2021, by which the Tribunal allowed the Original Application filed by the respondent and set aside the order passed by the Department rejecting the respondent's claim for appointment on compassionate grounds.

2. The brief facts leading to the filing of the present writ petition are that the respondent is the son of a deceased employee who was working in the Department of Posts. The respondent's father died while in service on 01.07.1993, leaving behind the family. Following the death of the employee,



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the family sought appointment on compassionate grounds in accordance with the scheme framed by the Government for providing such appointment to the dependants of employees who die in harness.

3. It is the case of the petitioners that the request made by the respondent was considered by the Department in accordance with the scheme governing compassionate appointments. According to the petitioners, compassionate appointment cannot be claimed as a matter of right and such appointments are governed strictly by the scheme in force. The petitioners would further state that the Department follows a Relative Merit Point System for assessing the financial condition and indigent circumstances of applicants seeking compassionate appointment and that the claims of eligible applicants are comparatively assessed by a competent committee constituted for the said purpose.

4. It is further stated that the claim of the respondent was placed before the competent committee constituted for considering such requests. The committee assessed the claim of the respondent along with the claims of



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other applicants seeking compassionate appointment. According to the petitioners, the respondent secured lesser merit points when compared with other applicants and therefore the committee did not recommend his case for appointment within the limited quota available for compassionate appointments. On that basis, the request made by the respondent came to be rejected by the Department by order dated 04.12.2020.

5. Aggrieved by the rejection of his claim, the respondent approached the Central Administrative Tribunal, Madras Bench by filing O.A.No.149 of 2021 challenging the rejection order passed by the Department. The Tribunal, after considering the pleadings and the materials placed before it, allowed the Original Application by order dated 12.07.2023 and set aside the rejection order passed by the Department.

6. Challenging the said order passed by the Tribunal, the petitioners have filed the present writ petition.



7. The learned counsel appearing for the petitioners would submit that the Tribunal erred in interfering with the decision taken by the Department in accordance with the applicable scheme. It was submitted that compassionate appointment is only an exception to the normal rule of recruitment and the same cannot be claimed as a matter of right. The learned counsel would further submit that the Department had considered the claim of the respondent along with other applicants and that the respondent had secured lesser merit points under the Relative Merit Point System and therefore his case was not recommended by the committee. According to the learned counsel, the Tribunal failed to appreciate these aspects and interfered with the administrative decision taken in accordance with the scheme.

8. Per contra, the learned counsel appearing for the respondent would submit that the rejection of the claim was not justified having regard to the peculiar facts and circumstances of the case. It was submitted that after the death of the respondent's father, the Department itself had approved the case of the respondent's mother for compassionate appointment on 12.06.1996 after being satisfied about the indigent condition of the family. However, the said appointment was not effectively implemented and subsequently, owing

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to the ill-health of the respondent's mother, the family had requested that the respondent be considered for compassionate appointment. It was further submitted that the matter had been the subject matter of earlier proceedings and that in O.A.No.531 of 2015, the Tribunal had directed the authorities to reconsider the case of the respondent sympathetically. According to the learned counsel, despite such directions, the authorities rejected the claim of the respondent by mechanically applying the Relative Merit Point System without properly considering the earlier developments in the case. It was also submitted that the respondent had been continuously engaged by the Department as a Mazdoor/substitute worker on compassionate grounds for several years and that the same itself demonstrated the financial hardship faced by the family of the deceased employee.

9. This Court has carefully considered the submissions made on either side and perused the materials placed on record.

10. In the present case, it is not in dispute that the claim of the respondent for appointment on compassionate grounds was considered by



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the Department and the same came to be rejected on the ground that the respondent did not secure sufficient merit points under the Relative Merit Point System when compared with other applicants seeking appointment under the compassionate quota. The rejection order dated 04.12.2020 was thus primarily based on a comparative assessment of merit points assigned to the applicants under the said system.

11. However, the materials placed on record reveal that the case of the respondent stands on a peculiar factual footing. It is seen that the respondent's father, who was employed in the Department of Posts, died while in service on 01.07.1993. Following his death, the respondent's mother had sought compassionate appointment and the competent authorities, after examining the financial condition of the family, approved her case for appointment on compassionate grounds on 12.06.1996. The approval was granted upon being satisfied that the family of the deceased employee was in indigent circumstances and required immediate financial assistance.



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12. It is further evident from the records that the respondent's mother, due to ill-health, was not in a position to effectively take up the appointment offered to her and subsequently made representations to the authorities requesting that the respondent, being the son of the deceased employee, be considered for appointment on compassionate grounds. The matter thereafter became the subject matter of several proceedings before the Tribunal and this Court, in the course of which directions were issued from time to time requiring the authorities to reconsider the claim of the respondent in accordance with the applicable scheme.

13. In particular, in the earlier proceedings in O.A.No.531 of 2015, the Tribunal had directed the authorities to reconsider the case of the respondent for compassionate appointment in terms of the scheme in vogue at the time when the respondent became eligible for such appointment and also to take due note of the fact that the respondent's mother had already been offered compassionate appointment after the authorities had satisfied themselves regarding the indigent condition of the family.



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14. The said order of the Tribunal was subsequently challenged by the Department before this Court. While disposing of the writ petition filed by the Department, this Court directed the authorities to consider the case of the respondent sympathetically by placing the entire materials before the competent committee and to proceed in accordance with law. The directions issued in the earlier proceedings thus attained finality.

15. Despite the above directions, it appears from the records that while reconsidering the claim of the respondent, the authorities primarily relied upon the Relative Merit Point System introduced under the later policy and rejected the claim on the ground that the respondent had secured lesser merit points when compared with other applicants seeking appointment under the compassionate quota.

16. The Tribunal, while examining the validity of the said rejection, took note of the fact that the authorities had not properly appreciated the peculiar circumstances of the case, particularly the earlier approval granted



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to the respondent's mother and the subsequent developments which led to the respondent seeking consideration in her place. The Tribunal also noted that the directions issued in the earlier proceedings required the authorities to consider the claim of the respondent by taking into account the scheme in force at the relevant time and the earlier findings regarding the indigent condition of the family.

17. Another aspect noticed by the Tribunal was that the respondent had been engaged by the Department for several years as a Mazdoor/substitute worker on compassionate grounds. The records further disclose that the services of the respondent had been utilised by the Department for a considerable period of time. This circumstance itself indicates that the authorities were aware of the financial hardship faced by the family of the deceased employee.

18. The Tribunal further observed that once the authorities had earlier approved the case of the respondent's mother for compassionate appointment upon being satisfied about the indigent condition of the family,



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the subsequent request made by the family to consider the respondent in her place ought to have been examined in that background. In such circumstances, a mechanical application of the Relative Merit Point System without taking into account the earlier approval and the long-standing hardship faced by the family would defeat the very object underlying the scheme of compassionate appointment.

19. It is also relevant to note that the purpose of compassionate appointment is to provide immediate relief to the family of a Government servant who dies in harness and to ensure that the family is not left in financial distress. While it is true that compassionate appointment cannot be claimed as a matter of right and must be considered strictly in accordance with the governing scheme, the authorities are nevertheless expected to consider such claims in a fair, reasonable and pragmatic manner having regard to the underlying object of the scheme.



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20. In the present case, the Tribunal has carefully examined the factual background, including the earlier approval granted for compassionate appointment to the respondent's mother, the subsequent directions issued in earlier proceedings and the long-standing engagement of the respondent by the Department as a Mazdoor/substitute worker. On the basis of these materials, the Tribunal came to the conclusion that the rejection order dated 04.12.2020 had been passed without properly appreciating the peculiar facts and circumstances of the case.

21. This Court also finds substance in the observation of the Tribunal that the authorities, while reconsidering the case of the respondent, ought to have given due weight to the earlier findings regarding the indigent condition of the family and the directions issued in the earlier proceedings. The adoption of a purely mechanical approach by relying solely upon the Relative Merit Point System without examining the case in its proper perspective was rightly found to be unsustainable.



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22. Having regard to the above factual and legal position, this Court is of the view that the Tribunal has rightly interfered with the rejection order passed by the Department. The findings recorded by the Tribunal are based on the materials available on record and cannot be said to suffer from any perversity or jurisdictional error warranting interference by this Court in exercise of its powers under Article 226 of the Constitution of India.

23. In such circumstances, this Court does not find any ground to interfere with the order passed by the Tribunal.

24. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions, if any, are closed.

[P.V.J.] [K.G.T.J.,]
12 / 03 / 2026

Speaking Order
Neutral Citation case: Yes

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To
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The Central Administrative Tribunal,
Chennai Bench.



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