



WEB COPY

WP No. 23912 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 23912 of 2026

G.Prabhavathi
D/o. Late. M.Ganapathy,
Block No. 53, Dummingkuppam Backside,
Santhome, Mylapore, Chennai 04

..Petitioner(s)

Vs

1. The Chairman
TamilNadu Slum Clearance Board,
Kamarajar Road, Chennai 05
2. The Managing director
Tamil Nadu Urban Habitat Development Board,
Tamil Nadu Slum Clearance Board,
Kamarajar Road, Chennai 05

..Respondent(s)

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records relating to the order in proceedings bearing Se.Mu.Ka.No. A6/ 12552/2017 dated 12.04.2022 passed by the 2nd respondent and quash the same and consequently direct the Respondents 1 and 2 to grant appointment to the petitioner on compassionate ground upon the death of her father M.Ganapathy while in service on 28.12.2004.

For Petitioner(s): Mr.J.Ram

For Respondent(s): Mr.S.Karthikeyan, Standing Counsel



ORDER

This Writ Petition has been filed for the following reliefs:

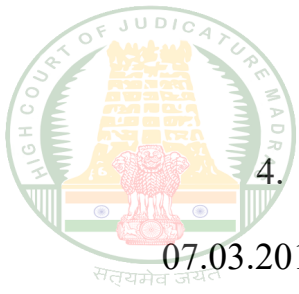
WEB COPY

“calling for the records relating to the order in proceedings bearing Se.Mu.Ka.No. A6/ 12552/2017 dated 12.04.2022 passed by the 2nd respondent and quash the same and consequently direct the Respondents 1 and 2 to grant appointment to the petitioner on compassionate ground upon the death of her father M.Ganapathy while in service on 28.12.2004.”

Brief Facts:-

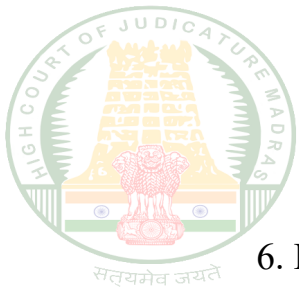
2. The petitioner is the daughter of Late M. Ganapathy, who was employed as a Man Mazdoor in the Tamil Nadu Slum Clearance Board, Division-V, Chennai, and died while in service on 28.12.2004. At the time of his death, his wife and parents had already predeceased him. He was survived by his son, G. Subramani, and the petitioner.

3. After the death of Late M. Ganapathy, the petitioner's brother, G.Subramani, had submitted an application dated 02.04.2007 seeking appointment on compassionate grounds. However, before any decision was taken on his application, he passed away on 12.04.2013, leaving behind his wife and two sons as his legal heirs.



4. Thereafter, the petitioner had submitted several representations on 07.03.2018, 30.04.2018, 28.08.2019, and 12.08.2020 seeking compassionate appointment. By proceedings dated 01.12.2020, the respondents had informed the petitioner that her request would be considered in accordance with the applicable rules. Subsequently, by letter dated 03.02.2021, the first respondent had directed the petitioner to furnish the necessary required documents. The petitioner had complied with the said direction and submitted all necessary documents, including No Objection Certificates from the legal heirs of her deceased brother. However, by proceedings dated 12.04.2022, the respondents had rejected the petitioner's request seeking compassionate appointment on the ground that an application seeking compassionate appointment should be submitted within a period of three years from the date of death of the employee.

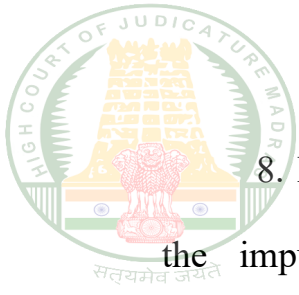
5. According to the petitioner, her brother had already submitted an application for compassionate appointment on 02.04.2007 within the prescribed period and the same remained pending until his death on 12.04.2013. Thereafter, she had pursued the claim by submitting her own representations. In these circumstances, the rejection of her request on the ground of delay is unsustainable. Therefore, challenging the rejection order passed by the 2nd respondent dated 12.04.2022, the petitioner is before this Court.



WEB COPY

6. Heard the learned counsel on either side and perused the records.

7. It is seen that the Government employee had passed away as early as on 28.12.2004. Initially, the petitioner's brother had submitted an application seeking compassionate appointment on 02.04.2007, but he had passed away on 12.04.2013 without securing such appointment. Thereafter, the petitioner had submitted her application seeking compassionate appointment only on 07.03.2018, nearly 14 years after the death of her father and about 5 years after the death of her brother. Therefore, the petitioner had not submitted her application within a period of three years either from the date of death of her father or from the date of death of her brother. That apart, there is no averment in the application regarding the indigent circumstances of the family. Therefore, it appears that the petitioner's family was not in indigent circumstances. It has been repeatedly held that compassionate appointment is not a matter of right and is a special provision intended to enable the bereaved family to tide over the immediate financial crisis arising on account of the sudden death of its sole breadwinner. Therefore, in the absence of any pleadings or evidence to establish that the family was facing immediate financial hardship at the relevant point of time, the claim for compassionate appointment cannot be entertained after a prolonged delay.



8. In the light of the above discussions, I see no reason to interfere with the impugned order passed by the 2nd respondent dated 12.04.2022.

Accordingly, this Writ Petition stands dismissed. No costs.

25-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SHR

To

1. The Chairman
TamilNadu Slum Clearance Board,
Kamarajar Road, Chennai 05
2. The Managing Director
Tamil Nadu Urban Habitat Development Board,
Tamil Nadu Slum Clearance Board,
Kamarajar Road, Chennai 05



WEB COPY

WP No. 23912 of 2



P.T.ASHA J.

SHR

WP No. 23912 of 2026

25-06-2026