



WP No. 24295 of 2026

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 29-06-2026**

**CORAM**

**THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM**

**AND**

**THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**WP No. 24295 of 2026 AND**

**WMP Nos. 26467, 26469 and 26499 OF 2026**

J.Devasen  
S/o.late Jayaraman,  
somasipadi village and post, Thiruvannamalai  
taluk, Thiruvannamalai district - 606611.

..Petitioner

**Vs**

1. Union Of India  
Rep. by its Assitant General Manager (Admn),  
Office of the General Manager (Telecom  
Stores) (the then office of Chief General  
Manager), Bharat Sanchar Nigam limited,  
No.3-A, Chowringhee place, Kolkata – 700013.
2. Chief General Manager  
Bharat Sanchar Nigam Limited, Tamilnadu  
Circle, Anna Salai, Chennai - 600002.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order dated 23.10.2024 passed by the central administrative tribunal chennai bench in O.A.No.310/01702/2019 and quash the same and consequently direct the respondents to appoint the petitioner in the vacancies related to compassionate grounds within the ambit of the scheduled caste.



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For Petitioner : Ms.Asmita Sen &  
Ms.Tejasree Sen

For Respondents : Mr.S.Gopinathan

**Order**

**(Order of the Court was made by S.M.Subramaniam J.)**

The present writ petition has been instituted challenging the order of the Central Administrative Tribunal (in short 'CAT'), Chennai Bench dated 23.10.2024 in O.A.No.310/01702/2019.

2. The writ petitioner was the applicant before the Tribunal. The original application was filed challenging the rejection of his application for compassionate appointment. The Tribunal considered the issues and dismissed the original application, which resulted in filing of the present writ petition.

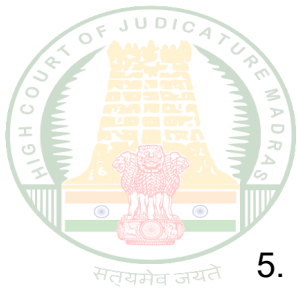
3. The father of the writ petitioner was employed as Mazdoor in BSNL and died on 31.10.1998 while he was in service. The petitioner completed his 12th standard and further passed Diploma in Mechanical Engineering in the year 1992. Thereafter, he passed Diploma in Metallurgy in 1998. The application seeking appointment on compassionate ground was filed on 12.09.2001 and 07.03.2002. After exchange of correspondences, the



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authorities have rejected the claim of the writ petitioner for appointment on compassionate ground vide order dated 22.11.2019 stating that the high power committee assessed the eligibility of the petitioner and found that he is ineligible. The committee found that the application seeking compassionate appointment itself was submitted belatedly in the prescribed format after a lapse of about eight years. A weightage point system was adopted to assess the indigent circumstances of the family to have uniformity in assessment and to be non-discriminatory. The weightage point system stipulates that cases with 55 or more net points shall be prima facie treated as eligible for consideration for grant of compassionate appointment. The Circle High Power Committee carefully examined the documents submitted by the applicant and objectively evaluated the indigent condition of the family of the applicant as per the weightage point system.

4. That apart, the writ petitioner, even at the time of the application was aged about 43 years and presently aged about 52 years. Further, the writ petitioner who was 43 years old at the time of filing of the application is born to the first wife of his father, living in a joint family with his step mother. Considering the family circumstances and applying the terms of the Scheme, the competent authority rejected the claim for compassionate appointment.



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5. The Central Administrative Tribunal has elaborately considered the facts and dismissed the original application relying on the legal principles settled by the Hon'ble Supreme Court of India in the case of **Umesh Kumar Nagpal vs. State of Haryana and Others (JT 1994 (3) SC 525)**, which reads as under:-

- i. Compassionate appointment cannot be granted after a lapse of a reasonable period and it is not a vested right which can be exercised at any time in future.
- ii. The whole object of granting compassionate appointment is to enable the family to tide over the sudden crisis and to relieve the family of the deceased from the financial destitution and to help it get over the emergency."

6. Almost 28 years lapsed from the date of the death of the deceased employee. The very purpose of the scheme of compassionate appointment is to mitigate the circumstances arising on account of the sudden death of a government employee. Efflux of time by itself is a ground to draw factual inference that the penurious circumstance which arose on account of the death of the deceased employee became vanished. Compassionate



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appointment being the Scheme and a concession cannot be claimed as an absolute right. The scheme is to be implemented based on the terms and conditions stipulated.

7. In view of the above facts and circumstances, this Court does not find any infirmity in the order dated 23.10.2024 passed by the Central Administrative Tribunal and the same stands confirmed. The writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**(S.M.S.,J.) (N.S.,J.)**  
**29-06-2026**

Index: Yes  
Speaking order  
Neutral Citation: Yes/No

KST

To

1. Assistant General Manager (Administration)  
Office of the General Manager (Telecom Stores) (the then office of Chief General Manager), Bharat Sanchar Nigam limited, no.3-A, Chowringhee place, Kolkata – 700013.
2. Chief General Manager  
Bharat Sanchar Nigam Limited, Tamilnadu Circle, Anna Salai, Chennai - 600002.

**S.M.SUBRAMANIAM J.**



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**AND  
N.SENTHILKUMAR J.**

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