



WEB COPY

WP No. 31796 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

**WP No. 31796 of 2022
and WMP.No.31248 of 2022**

B.Srinivasan,
S/o. Boopathi (Late)
No. 34/22, Kollapalayam street
Arcot Post and Arcot Taluk
Ranipet District

..Petitioner(s)

Vs

1. The State rep by Tamil Nadu
Rep by its secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009
2. The Director of school Education,
College Road, Chennai - 600 006
3. The District Educational Officer,
Ranipet, Ranipet District
4. The Head Mistresses,
The Village Panchayat Union Elementary
School, Arumbakkam, Ranipet District

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned order passed by the 3rd respondent in his Proceedings Na.ka.No.843 / 21 / 2021 dated 16.06.2021 and quash the same and direct the respondents to appoint the petitioner of any post on compassionate ground in respect of Ranipet District.



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For Petitioner(s):

Mr.R.Ganesh

For Respondent(s):

Mr.A.M.Ayyathurai
Government Advocate

ORDER

This Writ Petition is filed challenging the impugned order dated 16.06.2021, whereby petitioner's request for compassionate appointment was rejected on the premise that petitioner being a minor son, ought to have submitted his application within a period of three years from the date of death of the deceased employee.

2. Petitioner's mother was working as a Headmaster in a Village Panchayat Union Elementary School and died in harness on 14.01.2008. Petitioner was only 12 years old at that time and was under the care of his relatives, inasmuch as he had lost his father even earlier when he was only five years old. Petitioner filed an application on 01.02.2021, which was rejected vide the impugned order on the premise that the application is beyond the period of three years from the date of death of his mother, by placing reliance upon G.O.Ms.No.18, Labour and Employment (Q1) Department, dated 23.01.2020.

3. Learned counsel for petitioner would submit that petitioner, having lost both his father and mother at a tender age of 5 and 12 respectively, his case



ought to have been considered on compassionate grounds.

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4.1 However, learned Government Advocate appearing for respondents would submit that compassionate appointment cannot be claimed as a matter of right and is governed by the relevant G.Os, Rules and Acts prevailing on the date on which the application is filed. He would then bring to the notice of this Court that the application was made on 01.02.2021 and would thus be governed by G.O.Ms.No.18, dated 23.01.2020.

4.2 He would also submit that the above G.O provides that an application for appointment on compassionate grounds must be submitted within three years from the date of death of the Government servant. Though the case of petitioner is very unfortunate, he would submit that inasmuch as the G.O provides for a three year period within which the application must be submitted and since the application has been submitted much beyond the said period, the impugned order may not warrant interference.

5. This Court finds merit in the above submission of the learned Government Advocate, and thus the impugned order does not warrant any interference.



6. In that view of the matter, this Writ Petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

20-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ANU

To

1. The Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009
2. The Director of school Education,
College Road, Chennai - 600 006
3. The District Educational Officer,
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MOHAMMED SHAFFIQ, J.

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