



WEB COPY

WP No. 32479 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 32479 of 2024

and

WMP Nos.35275 & 35277 of 2024 & 1697 of 2026

1. P.Chithramary
2. P.Ruthrapriya(Minor)
3. P.Kirithika(Minor)

..Petitioner(s)

Vs

1. Government of Tamil Nadu
Rep. by its The Deputy Secretary to Government,
Personnel and Administrative Reforms
Department, Secretariat, Chennai-600 009.
2. The Secretary to Government
Government of Tamil Nadu,
Agricultural Marketing and Agri Business,
Thiruvika Industrial Estate, CIPET-II Main
Road, Guindy, Chennai-600 032.



3. The Senior Secretary

Coimbatore Marketing Committee,
Coimbatore-641 045.

4. The Secretary

Marketing Committee, Agricultural and
Agricultural Business, Vidhya Nagar,
Dhindal (Post), Erode-638 012.

5. P.Nivetha

6. P.Preethi

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India, to issue a Certiorarified Mandamus, calling for the records from the 3rd respondent relating to the proceedings dated 23.08.2024 read with 7.9.2024 both bearing reference No. Na. Ka. No. Aa1 / 6531 / 2023 and quash the same as illegal, arbitrary, without jurisdiction and consequently, direct to the respondents 1 to 4 to issue appointment order to the 1st petitioner on compassionate ground apart from settling 3/5th share of the Terminal benefits payable on account of death of the 1st petitioner's husband i.e. V.Palaniappan (Late) to the petitioners and 2/5th share to the 5th and 6th respondents respectively together with 12 percent interest per annum from 27.12.2023 till the date of actual payment to the petitioners and respondents 5 and 6 within a time frame as fixed by this Honorable Court.



WEB COPY

WP No. 32479 of 2



For Petitioner(s): Mr.K.Srinivasa Murthy
for M/s.Row and Reddy

For Respondent(s): Mr.P.Balathandayutham, for R1 to R4
Special Government Pleader
M/s.A.Vigneshwaran for R5 & R6

ORDER

This writ petition has been filed, challenging the impugned proceedings of the 3rd respondent dated 23.08.2024 read with 07.09.2024, and consequently seeking a direction to the respondents 1 to 4 to issue an appointment order to the 1st petitioner on compassionate grounds, apart from settling 3/5th share of the Terminal benefits payable on account of death of the 1st petitioner's husband i.e. V.Palaniappan (Late) to the petitioners and 2/5th share to the 5th and 6th respondents, respectively together with interest at the rate of 12% per annum from 27.12.2023 till the date of actual payment to the petitioners and respondents 5 and 6 within a time frame to be fixed by this Hon'ble Court.

2.The case of the petitioners is that the first petitioner's husband, V.Palaniappan, was initially appointed as a Junior Assistant in Erode Marketing Committee in the year 2017. Thereafter, he was transferred to the Coimbatore



Marketing Committee in the year 2020 and was promoted as Supervisor with effect from 01.04.2023. While he was in service, he passed away on 27.12.2023. Immediately thereafter, , the 3rd respondent paid a sum of Rs.25,000/- to the 1st petitioner towards funeral expenses. Subsequently, the first petitioner submitted a representation to the respondents 1 to 4, along with death certificate and legal heir certificate of her deceased husband, seeking appointment on compassionate grounds and disbursement of the terminal benefits payable on account of his death. However, her claim for compassionate appointment and terminal benefits was rejected by the respondents on the ground that she had not proved her legal status and that being above 50 years of age, she was not eligible for appointment on compassionate grounds. The first petitioner submitted her application for compassionate appointment on 01.04.2024, and even as on that date, she was well within 50 years of age. Therefore, the action of the respondents in denying compassionate appointment is illegal. Challenging the same, the present writ petition has been filed.

3.The learned counsel for the petitioners would submit that admittedly, the first wife of the first petitioner's husband, Palaniappan, had predeceased him prior to his second marriage with the first petitioner. The first wife of the deceased, namely P.Manjula, died on 19.11.2000. Thereafter, the first



petitioner married the deceased, Palaniappan on 20.01.2008 and out of the said wedlock, two daughters namely, Ruthrapriya and Kirithika were born, who are the petitioners 2 and 3 herein. The other legal heirs of the deceased Palaniappan, born through his first wife, namely, P.Nivetha and P.Preethi, who are respondents 5 and 6 herein, have no objection to the disbursement of terminal benefits and compassionate appointment to the first petitioner. However, the respondents rejected the request of the first petitioner, which is unsustainable in law. It is further submitted that, while in service, the deceased husband of the first petitioner had nominated the first petitioner as the primary nominee and had named his other four daughters as alternate nominees, providing for an equal 20% share each in the absence of the first petitioner. However, without considering the nomination and the legal heir certificate, the respondents simply rejected the request of the first petitioner which is impermissible. Hence he prayed for appropriate orders.

4.Per contra, the learned Special Government Pleader appearing for the respondents 2 to 4 filed a counter affidavit, wherein it is stated as follows:

4.The 1st petitioner's husband Thiru.V.Palaniappan was promoted with effect from 01.04.2023. Thereafter, he died on 27.12.023, due to health issues. Immediately, a sum of Rs.25,000/- was paid to his family as a funeral advance, and his wife was informed to submit the



legal heir certificate and death certificate for disbursement of the remaining monetary benefits. The first petitioner, Mrs.Chitramary, submitted the death certificate of her husband V.Palaniappan to the Coimbatore Market Committee Office on 29.01.2024 and legal heir certificate on 21.02.2024. In the legal heir certificate, five legal heirs were mentioned as follows:

- a) P.Chitramary – Age 49 – Second Wife.*
- b) Nivetha – Age 31 – Daughter of the first wife*
- c) Preethi – Age 29 – Daughter of the first wife*
- d) Ruthrapriya – Age 15 – Daughter of the second wife*
- e) Kirithika – Age 8 – Daughter of the second wife*

5. From the legal heir certificate, it came to know that Mrs.Chitramary was the second wife of late V.Palaniappan and that his first wife Tmt.Manuja has expired earlier. However, in his service register also, the name of the first petitioner Chitramary was not mentioned as second wife and no entries were made regarding the first wife. Due to this contradiction, through their office letter No.B1/6531/2023 dated 08.03.2024, the petitioner was requested to submit first page of Bank passbook, Aadhar card and PAN card of all the legal heirs of the disbursement of monetary benefits of late



V.Palaniappan. However, no response was received from the petitioner's side.

WEB COPY

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

6. Considering the facts and circumstances of the case, the respondents 1 to 4 themselves have admitted that the name of the first petitioner and her two daughters were entered in the service register of the deceased employee. However, the name of the first wife was not reflected in the service register. The conclusion arrived at by the respondents on this basis is not sustainable. The first wife had died prior to the second marriage. Hence, there was no necessity to mention the details of the first wife in the service register, particularly when the legal heirs of the first wife have expressed not raised any objection. In the present case, the daughters of the first petitioner, namely, petitioners 2 and 3, as well as the legal heirs of the first wife, namely, respondents 5 and 6, have expressed no objection to the disbursement of the the terminal benefits and the grant of compassionate appointment to the first petitioner.



7. In view of the above, the impugned orders of the 3rd respondent dated 23.08.2024 and 07.09.2024 are set aside, and the matter is remanded back to the respondents for fresh consideration. The respondents 1 to 4 are directed to hear the other legal heirs of the deceased V.Palaniappan, in person and obtain affidavits from them, and thereafter, settle the terminal benefits in their favour. The respondents shall also consider the claim of the first petitioner for compassionate appointment in accordance with the relevant Government Orders. The aforesaid exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.

8. Accordingly, this writ petition is allowed with the above terms. Consequently, connected miscellaneous petitions are closed.

10-02-2026

Index: Yes/No

(2/2)

Speaking/Non-speaking order

Neutral Citation: Yes/No

UMA



To

1. The Deputy Secretary to Government,
Personnel and Administrative Reforms,
Department, Secretariat, Chennai-600 009.
2. The Secretary to Government
Government of Tamil Nadu, Agricultural
Marketing and Agri Business,
Thiruvika Industrial Estate, CIPET-II Main
Road, Guindy, Chennai-600 032.
3. The Senior Secretary
Coimbatore Marketing Committee,
Coimbatore-641 045.
4. The Secretary
Marketing Committee, Agricultural and
Agricultural Business, Vidhya Nagar,
Dhindal Post, Erode-638 012.



WEB COPY

WP No. 32479 of 2



M.DHANDAPANI J.

UMA

**WP No. 32479 of 2024 and
WMP Nos.35275 & 35277 of 2024 &
1697 of 2026**

(2/2)

10-02-2026