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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 34736 of 2022

CNR: {HCMA012073492022}

V.Senbagam

Case QR

..Petitioner(s)

Vs

1. Government of Tamil Nadu
   Rep. by its Secretary,
   Home Department,
   Fort St.George,
   Chennai 09

2. The Director General of police
   Mylapore, Chennai 04

3. The commissioner of police
   Salem city, Salem

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India issuing writ of certiorarified mandamus calling for the impugned proceedings dated 13.09.2021 in Na.Ka. A3/ 376/ 23009 /2013 on the file of the 3rd respondent and quash the same and direct the respondents to sanction compassionate appointment following by the petitioners application dated 31.08.2017 to the petitioners elder daughter by name Sindhuja, M.A. B.Ed as the petitioner is fully qualified for any appointment on compassionate ground.

For Petitioner(s): Mr.S.Sadasharam

For Respondent(s): Mr.K.K.Ram Siddhartha
Additional Government Pleader

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ORDER

The present writ petition has been filed challenging the impugned order dated 13.09.2021 in Na.Ka. A3/ 376/ 23009 /2013 on the file of the 3rd respondent.

2. Learned counsel for the petitioner would submit that the petitioner's husband, Late Venkatachalam, was employed as Head Constable in the Police Department and he died on 06.03.2013 while he was in service. Immediately after his demise, the petitioner made an application on 19.09.2013, within the prescribed period, seeking compassionate appointment for her elder daughter, namely Ms. Sindhuja. Subsequently, she sought for a modification in favour of her younger daughter, Sophia. Meanwhile, her younger daughter was placed in Government employment. Thereafter, she again applied for her elder daughter, who is a Post Graduate, for compassionate appointment.

3. It is also his contention that apart from these two daughters, the petitioner has got one more son, who was employed in the Police Department even prior to the death of Venkatachalam. Therefore, it is his contention that the elder daughter, who is taking care of the petitioner, has to be provided with compassionate appointment. Hence, he prayed to interfere with the impugned order.

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4. Learned counsel for the petitioner also relied on G.O. (Ms) No. 18, Labour and Employment (Q1) Department, dated 23.01.2020 and contended that according to the said G.O., the petitioner can modify the prayer for compassionate appointment from one legal heir to another legal heir.

5. This contention was totally objected to by the learned Additional Government Pleader appearing for the 1st respondent, and contended that the petitioner submitted her first application on 19.09.2013, requesting appointment on compassionate grounds for her elder daughter. Since some documents were not available, the respondent called for the same. In the meanwhile, the petitioner modified the prayer and sought for an appointment for her younger daughter, Sophia, but after three years. According to the G.O., any modification should be made within a period of three years. It is also his contention that the petitioner's son and her younger daughter are well placed in Government employment. Since younger daughter Sophia has got Government employment, now the petitioner cannot change the beneficiary name.

6. I have given my anxious consideration to the submissions made by both sides.

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7. It is a well-settled principle of law that compassionate appointment is an exception to public employment. In the case on hand, though the petitioner has submitted an application within a period of three years, the change which the petitioner made with reference to her second daughter was beyond a period of three years. Furthermore, as rightly contended by the learned Additional Government Pleader, the petitioner's son as well as her younger daughter are well placed in Government employment.

8. However, it is the contention of the learned counsel for the petitioner that, out of the three children, only the elder daughter is not placed in Government employment. Therefore, compassionate appointment is to be given to her.

9. It is relevant to mention that compassionate appointment is not a matter of right so as to be given to the legal heir of the deceased Government employee. It should only operate in accordance with the guidelines. According to the scheme of compassionate appointment, the same was conceived to address the immediate indigence or penury circumstances, so as to alleviate the dependants from the immediate sufferings faced by them on account of the death of the earning member in their family. In the case on hand, though the petitioner's husband died, on the date of his death, her son was a Police Constable. Therefore, as rightly contended by the learned Additional

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Government Pleader, there were no penury circumstances in the petitioner's family, which is evident from the Tahsildar's certificate, as the Tahsildar did not state that the petitioner's family was in penury circumstances, further petitioner's 2nd daughter is also in Government employment.

10. Therefore, this Court is of the firm view that the authority has considered the petitioner request in all these aspects and has ultimately rightly rejected the request of the petitioner. Thus, this Court does not find any infirmity in the impugned order.

11. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

17-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD

To

1. Government of Tamil Nadu
   Rep. by its Secretary, Home Department, Fort St.George, Chennai 09

2. The Director General of police
   Mylapore, Chennai 04

3. The commissioner of police
   Salem city, Salem

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C.KUMARAPPAN, J.

GD

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