



WA No. 26 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**WA No. 26 of 2026 AND
CMP NO. 265 OF 2026**

The Collector
Cuddalore District, Cuddalore

..Appellant

Vs

1. S.Priyadharshini
D/o.D.Selvaraj, 1/180, Mela Theru,
T.Puthur, T.Neduncheri-608305
Kattumannar Koil Taluk, Cuddalore District.
2. The Block Development Officer
Kumaratchi Panchayat Union,
Kumaratchi,
Chidambaram Taluk
Cuddalore District

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 08.04.2024 made in WP No.798/2022.

For Appellant :

Mr.S.Yashwanth
Additional Government Pleader

For Respondents :

Mr.D.Baskar - For R1
Mr.E.Veda Bagath Singh,
Special Government Pleader – for R2



appointment was the question. Hence, a clarification to that effect has been sought for from the Government and the said clarification still was awaited and therefore the application submitted by the writ petitioner was kept pending.

4. This position continued for nearly a decade and ultimately on 09.05.2021, the mother of the writ petitioner viz., one Kousalya also died. Even thereafter, nothing has come out. Therefore, only in that circumstances the writ petition was filed seeking for a Mandamus in the year 2022.

5. The learned Writ Court having considered this factual matrix has come to the conclusion that keeping the application without taking any decision for more than ten years with undue delay cannot be attributed to the writ petitioner and the same ought to have been decided at the earliest point of time immediately after receipt of the application as the writ petitioner / first respondent was qualified to get an appointment on compassionate ground.

6. Despite this situation since the application has been kept pending and even the clarification sought for has not been received and in the meanwhile on 09.05.2021 even the mother of the writ petitioner since has died, in order to bail out the family wherein the first respondent / writ petitioner alone has been singled out now without any support, this is a deserving case in which the compassionate



appointment benefit has to be extended to the family. Therefore, the writ petition was allowed through the impugned order.

7. Assailing the impugned order, the learned Additional Government Pleader would submit that in the year 2022, the much awaited clarification had come and as per the clarification, such an appointment cannot be granted. Therefore, the said view taken by the learned Writ Court before whom since the position that the clarification was subsequently received had not been brought to the notice of the Court, the learned Judge has taken the view to allow the writ petition and hence the impugned order is liable to be interfered with.

8. We are not impressed with the said submission of the learned Additional Government Pleader for the reason that the simple clarification, if at all to be obtained from the higher authority, ought to have been secured within a shortest possible time. However, not for weeks or months, but more than ten years such clarification has not been received. This itself shows neither the appointing authority nor the authority who was to consider such issues, were not in a position to consider the request of the first respondent / writ petitioner and they have dealt with the issue in a very very cavalier manner. Therefore, such an inordinate delay caused on the part of the employer cannot be appreciated.



9. Moreover, after a long struggle the first respondent / writ petitioner without getting a fruitful result of her attempt to get compassionate appointment, also lost her mother on 09.05.2021. Therefore, literally since 09.05.2021 the first respondent / writ petitioner has been left in lurch without any support in her life. Therefore, if this kind of situation is faced by the legal heir of any deceased employee, that situation can very well fit in the situation, where the family is in indigent circumstances and it deserves compassionate appointment. Hence, being a deserving case to be considered positively for extending the benefit of compassionate appointment to the first respondent / writ petitioner, we feel that the order passed by the writ Court does not warrant any interference.

10. In that view of the matter, we are not inclined to interfere with the order impugned herein and therefore, apart from the reason that has been mentioned in the order impugned, adding the reasons and discussions which we have made in this judgment, the request made by the first respondent / writ petitioner seeking for compassionate appointment shall be considered positively and she shall be appointed in any Group 'C' or Group 'D' post for which she is otherwise entitled to as per her educational qualification. At the same time, if the first respondent / writ petitioner has become over aged as per the Rules, which is in vogue, the same shall also be given relaxation and such compassionate ground appointment be made to and in favour of the first respondent / writ petitioner within a period of two months



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from the date of receipt of a copy of this order. With the above directions, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (S.S.A.,J.)
10-02-2026

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

KST



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To
WEB COPY

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Cuddalore District, Cuddalore.
2. The Block Development Officer
Kumaratchi Panchayat Union,
Kumaratchi, Chidambaram Taluk
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