



W.P.No.46681 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.46681 of 2025
and W.M.P.Nos.52088 and 52090 of 2025 and 1939 of 2026**

E.Valli

... Petitioner

Vs.

1.The Special Secretary to the Government,
Tamil Nadu Government Transport Department,
Secretariat, St.George Fort, Rajaji Salai,
Chennai-600 009.

2.The Tamil Nadu State Transport Corporation (Salem) Limited,
Rep.by its Managing Director,
No.12, Ramakrishna Salai,
Salem-636 007.

3.The General Manager,
The Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Dharmapuri-636 705.

....Respondents



W.P.No.46681 of 2025

WEB COPY

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings issued by the second respondent bearing No.PANI14/7867/TAAPOKA/DPI/2025 dated 28.08.2025 and quash the same as illegal and contrary to the scheme of compassionate appointment and consequently, direct the respondents 1 to 3 to consider the petitioner's application dated 16.07.2025 for compassionate appointment and appoint the petitioner on compassionate grounds to any suitable post with effect from 16.07.2025 in the Tamil Nadu State Transport Corporation (Salem) Limited, within a time frame to be fixed by this Court, without insisting upon a Succession Certificate.

For Petitioner	:	Mr.M.N.Sumathy
For Respondents	:	Mr.P.Balathandayutham Special Government Pleader for R1 Mr.K.Raja Standing Counsel for R2 and R3

ORDER

This Writ Petition has been filed challenging the proceedings dated 28.08.2025 issued by the second respondent and for a consequential direction to the respondents 1 to 3 to consider the petitioner's application



W.P.No.46681 of 2025

dated 16.07.2025 for compassionate appointment and appoint the petitioner on compassionate grounds to any suitable post with effect from 16.07.2025 in the Tamil Nadu State Transport Corporation (Salem) Limited.

2. The learned counsel appearing for the petitioner submits that the petitioner's husband, namely, A.Elangovan, joined the services of the second respondent Tamil Nadu State Transport Corporation (Salem) Limited as Trainee Driver and his service was regularized as Driver with effect from 30.10.2007. Unfortunately, he died in harness due to ill-health while working as Driver with the third respondent Region, Thenkanikottai Branch, leaving behind the petitioner, three minor children and his parents as legal heirs. The respondents accepted the Legal Heir Certificate and Death Certificate produced by the petitioner and released the terminal benefits in favour of the petitioner. Thereafter, the petitioner made an application dated 16.07.2025 to the respondents seeking compassionate appointment and appeared before the respondents with all required documents including conductor license. However, the second respondent issued a proceedings dated 28.08.2025 rejecting the petitioner's request and directed the petitioner



W.P.No.46681 of 2025

to produce Succession Certificate and Legal Heir Certificate. Challenging the same, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner submits that the legal heirs for the deceased Elangovan is his parents, petitioner and his children. Children are minors and hence, there is no necessity for getting No Objection Certificate from the children. The petitioner has to obtain No Objection Certificate only from the parents of the deceased and she has also obtained No Objection Certificate from his parents and during the lifetime of the deceased, there was a dispute between the petitioner and her husband and thereby, the petitioner filed a maintenance case and obtained monthly maintenance from the deceased and it does not mean that the deceased obtained divorce from the petitioner and the petitioner produced the Legal Heir Certificate before the respondents. Despite, the respondents rejected the request of the petitioner. Hence, she prays for allowing this writ petition.

4. The learned Standing Counsel appearing for the respondents 2 and 3 submits that the petitioner submitted an application for



W.P.No.46681 of 2025

compassionate appointment on 16.07.2025 and appeared before the

Authorities on 13.08.2025 with documents. Upon verification, the petitioner was informed that production of a Succession Certificate is mandatory to ensure that there is no future claim or dispute from any other legal heirs. The requirement was made only to avoid future disputes and rival claims, especially when maintenance proceedings and other legal proceedings had existed between the spouses. It is submitted that when a Legal Heir Certificate establishes *prima facie* relationship, a Succession Certificate issued by the competent Civil Court provides conclusive authority regarding entitlement, particularly, where service benefits and employment are sought.

5. Heard the learned counsel appearing for the petitioner, learned Additional Government Pleader appearing for the first respondent and the learned Standing Counsel appearing for the second and third respondents.

6. Admittedly, the petitioner is the wife of the deceased Elangovan and the deceased was employed as driver in the Tamil Nadu State Transport Corporation and died in harness while in service on 03.11.2024 leaving



W.P.No.46681 of 2025

behind the petitioner, three children and his parents. It is also not in dispute

that the petitioner received the terminal benefits on the basis of the Legal Heir Certificate and thereafter, the petitioner made an application on 16.07.2025 for providing compassionate appointment within a period of three years, however, the same was rejected by the respondents on the ground that mere production of Legal Heir Certificate is not sufficient to provide compassionate appointment and in view of the fact that there was family dispute pending between the petitioner and the deceased, the petitioner was directed to produce Succession Certificate which is not justifiable one, when the other legal heirs, who are the parents of the deceased, have given No Objection Certificate for compassionate appointment. In the absence of rival claim, directing the petitioner to produce Succession Certificate is not sustainable one. Hence, the impugned proceedings dated 28.08.2025 issued by the second respondent is set aside and the matter is remanded back to the respondents for fresh consideration. The respondents are directed to consider the petitioner's application afresh and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



W.P.No.46681 of 2025

WEB COPY

7. Accordingly, this Writ Petition is allowed. There shall be no order as to costs. Connected miscellaneous petitions are closed.

23.01.2026

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

- 1.The Special Secretary to the Government,
Tamil Nadu Government Transport Department,
Secretariat, St.George Fort, Rajaji Salai,
Chennai-600 009.
- 2.The Tamil Nadu State Transport Corporation (Salem) Limited,
Rep.by its Managing Director,
No.12, Ramakrishna Salai,
Salem-636 007.
- 3.The General Manager,
The Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Dharmapuri-636 705.



WEB COPY



W.P.No.46681 of 2025

M.DHANDAPANI, J.

ssb

W.P.No.46681 of 2025

23.01.2026