



WEB COPY

WP No. 1631 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 1631 of 2026

and WMP.No.1680 of 2026

Rekha
D/o. (late) Muthu,
No.90A, Suntahram 6th street,
Vyasarpadi,
Chennai 39

..Petitioner(s)

Vs

1. The Director General Of Police
Chennai 04
2. The Additional Commissioner of police
Head Quarters, Greater Chennai police
Chennai
3. The Joint commissioner of police
North Zone, Greater Chennai,
Chennai 21

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Certiorarified Mandamus, calling for records relating to the order in Na.Ka.Pa.B. VAMA2(2) / 31/ 4215/ 2025 dated 07.04.2025 passed by the 3rd respondent and continue if the order passed by the 1st respondent in RC.No. 9926465/ CA.1/ 2025 dated 06.05.2025 and quash the same and consequently to direct the respondents to appoint the petitioner on compassionate grounds in any suitable post to which he is eligible.



For Petitioner(s):

Mr.A.Murugavel

For Respondent(s):

Mr.P.Balathandayutham

Special Government Pleader

ORDER

This Writ Petition has been filed seeking quashment of the impugned orders in Na.Ka.Pa.B. VAMA2(2) / 31/ 4215/ 2025 dated 07.04.2025 passed by the 3rd respondent and the order passed by the 1st respondent in RC No. 9926465/ CA.1/ 2025 dated 06.05.2025, and consequently to direct the respondents to appoint the petitioner on compassionate grounds in any suitable post to which he is eligible.

2. Mr.P.Balathandayutham, learned Special Government Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that her father, Late E.Muthu, who was serving as a Special Sub-Inspector of Police, died in harness on 14.09.2013



while in active service. Following his demise, the petitioner's mother submitted an application dated 20.03.2014, seeking appointment on compassionate grounds, and the petitioner also submitted her individual application pursuant to the directions issued by the authorities. Thereafter, after further representations made in the year 2025, the respondents rejected the request on the ground of delay and on the ground that the petitioner's brothers were already employed in the Police Department. Challenging the same, the present Writ Petition has been filed.

4. The learned counsel for the petitioner submitted that the petitioner's application had been rejected without properly considering the fact that her father died in harness and that the family continued to suffer financial hardship. It was further submitted that the original application dated 20.03.2014 had been filed within the prescribed time limit and therefore, the rejection on the ground of delay was unsustainable. The learned counsel contended that merely because the petitioner's brothers were employed in the Police Department, the petitioner could not have been denied compassionate appointment, particularly when their appointments were made on merit prior to the death of the deceased employee. Hence, he prayed for quashment of the impugned order.

5. The learned Special Government Pleader appearing for respondents submitted that pursuant to G.O.Ms.No.33, Labour and Skill Development



Department, dated 08.03.2023, compassionate appointment can be granted only in accordance with governing rules. It was contended that the petitioner, being a married daughter, was not dependent on the deceased employee at the time of his death. It was further submitted that the petitioner had made representations after a considerable lapse of time and that the claim was not maintainable under the applicable rules. On these grounds, the respondents sought dismissal of the Writ Petition.

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

7. This Court finds that the petitioner's father died in harness on 14.09.2013 and that an application was initially submitted in the year 2014. However, the petitioner had pursued the claim again only in the year 2025, after a considerable lapse of time. It is seen that compassionate appointment was intended to provide immediate relief to the family of the deceased employee and could not be claimed as a matter of right after long delay. Further, the petitioner, being a married daughter, was not shown to have been dependent on the deceased at the relevant time. In such circumstances, this Court finds no infirmity in the impugned order.



8. Accordingly, this Writ Petition stands dismissed. No Costs.

Consequently, connected miscellaneous petition is closed.

27-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ANU

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