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W.P. No.50748 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2026

CORAM:

THE HON'BLE MR. JUSTICE **M. DHANDAPANI**

W.P. No.50748 of 2025

V.R.Divya

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary,
Health and Family Welfare Department,
Secretariat, Chennai – 9.

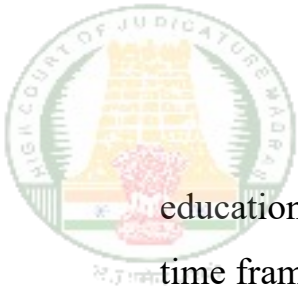
2. The Director of Medical and Rural
Health Services (DMS),
No.258, DMS Complex, 3rd Floor,
Anna Salai, Teynampet,
Chennai – 600 018.

3. The Joint Director,
Health and Family Welfare Department,
Thiruvallur District.

4. The Chief Medical Officer,
Government Hospital,
Pallipattu,
Thiruvallur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the respondents to consider the petitioner for the compassionate appointment and to appoint her in the permanent government post under the compassionate grounds according to her



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educational qualification based on her representation dated 17.01.2023 within a time frame fixed by this Court.

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For petitioner : Mr.R.Sankarasubbu

For respondents : Mr.K.Tippusulthan
Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents to consider the petitioner for the compassionate appointment and to appoint her in the permanent government post under the compassionate grounds according to her educational qualification based on her representation dated 17.01.2023 within a time frame fixed by this Court.

2. The petitioner was married to one Vivekanandan and blessed with two children. The petitioner's husband was the first generation doctor and entered into government serviced in the year 2011, by his hard work. During the first wave of Covid-19 pandemic period, the petitioner's husband was working as ENT surgeon at Pallipattu Government Hospital. As an ENT surgeon, the petitioner's husband saved many lives out of danger and therefore affected by Covid-19 and died due to Covid-19 complications on 22.11.2020, while he was in duty. Thereafter, the petitioner made representation for compassionate



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appointment. However, no order was passed and hence the present Writ Petition is filed with the above said prayer.

3. Heard the learned counsel appearing on either side and perused the materials placed on record.

4. However, the learned Government Advocate appearing for the respondents filed a counter affidavit stating that as per the guidelines and existing rules, the petitioner's application under compassionate ground is under process. As per seniority, the petitioner's turn for appointment is not yet reached. The petitioner's seniority is in seniority No.190 and there are twelve appointments were given to the eligible candidates and ten applications were not eligible for compassionate ground appointment before the individual seniority. There are 167 compassionate grounds appointments to be given before the individual seniority as on date and as soon as if the petitioner's seniority reached, the petitioner's application for compassionate ground appointment will be considered and an appropriate order will be passed in favour of the petitioner.



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5. Recording the above submission, the Writ Petition is disposed of with a direction to the respondents to adhere the seniority strictly and whenever the petitioner's seniority reached, consider the claim of the petitioner for compassionate appointment and pass an appropriate order.

6. With the above directions, the Writ Petition stands disposed of.
No costs.

20.01.2026

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

rts



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To
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M. DHANDAPANI, J.

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20.01.2026