



WEB COPY

WP No. 4315 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 4315 of 2026

and W.M.P.No.4773 of 2026

P.Umesh Kumar

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration and Water Supply
Department,
Fort St.George,
Chennai 09.
2. Chennai Metropolitan Water Supply and
Sewerage Board,
Rep. by its Managing Director,
C.M.W.S..S Board,
Chennai 02.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for records of 2nd respondent in proceedings bearing Number Ka.No.Seguva/Pa.Ma.Ni/Ni.Ma4/6701/2025 dated 18.05.2025 and quash the same and direct the 2nd respondent herein to appoint the petitioner herein on compassionate basis, in his deceased brother, Mr.P.Satish Kumar's Post by considering the exemption and age relaxation granted in the Chennai Metropolitan water supply and sewerage Board's Special Regulations 1982



applicable for the appointments with the 2nd respondent board.

For Petitioner(s) : Mr.G.Vikash Anand
for M/s.G.Vijay Anand Associates

For Respondent(s) : Mr.C.Selvaraj, AGP for R1
Mr.Krishna Ravindran for R2

ORDER

This writ petition is filed to call for the records of 2nd respondent in proceedings bearing Number Ka.No.Seguva/Pa.Ma.Ni/Ni.Ma4/6701/2025 dated 18.05.2025 and quash the same and direct the 2nd respondent herein to appoint the petitioner herein on compassionate basis, in his deceased brother, Mr.P.Satish Kumar's Post by considering the exemption and age relaxation granted in the Chennai Metropolitan water supply and sewerage Board's Special Regulations 1982 applicable for the appointments with the 2nd respondent board.

2. The case of the petitioner is that the petitioner's brother viz., P.Satish Kumar was appointed on compassionate ground on the demise of petitioner's father viz., M.Padmanaban. Both the petitioner's father and brother are employees of the second respondent. However, the petitioner's brother died in harness on 24.12.2024. Immediately thereafter, the petitioner made an application for appointment under compassionate ground on 02.05.2025. However, the same was rejected vide impugned order dated 08.05.2025 on the



ground that the petitioner has crossed the age of 40. Challenging the same, the present writ petition is filed.

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3. Learned counsel for the petitioner would submit that as per 6A of Chennai Metropolitan Water Supply and Sewerage Board's Special Regulations, 1982, persons coming under reserved category such as Scheduled Castes and Scheduled Tribe or even for appointment by regular basis, are entitled to five years relaxation of age. Hence, the second respondent may extend the consent in favour of the petitioner by relaxing the age. Accordingly, she prays for allowing this writ petition.

4. Per contra, learned Additional Government Pleader appearing for the respondents would submit that the compassionate ground appointment was governed by G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department dated 08.03.2023. As per clause 6 of the said Government Order, the age limit should not exceed 40 years. But, the petitioner has crossed the maximum age limit of 40 years, which is contrary to the said Government Order. Accordingly, he prays for dismissal of this writ petition.

5. Heard the learned counsel on either side and perused the materials available on records.



6. The facts of the case are not in dispute. The petitioner has applied for compassionate ground appointment on the demise of his brother, who died in harness on 24.12.2024. However, the said application was rejected on the ground that the petitioner has already crossed the maximum age limit of 40 years, as prescribed in Clause 6 of G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department dated 08.03.2023. For better appreciation, the said clause is extracted hereunder:

6. Age Limit.-- (1) Notwithstanding anything contained in these rules governing the post for which appointment on compassionate grounds is to be made, on the date of application for appointment,--

(a) the spouse of the deceased or medically invalidated Government servant or the parent of the deceased Government servant, must not have completed fifty years of age; and

(b) the son, daughter, brother or sister of the deceased or medically invalidated Government servant must not have completed forty years of age.

(2) Notwithstanding anything contained in these rules governing the post for which appointment on compassionate grounds is to be made, there shall be no minimum age limit for the applicant on the date of application for appointment:

Provided that appointment shall not be provided unless the applicant completes eighteen years of age.

7. On perusal of the aforesaid G.O., makes it clear that the applicant should not exceeds the maximum age of limit of 40 years, as on the date of



application. In the present case on hand, the petitioner's age is 43, as on the date of application and he has crossed the prescribed age limit of 40 years.

Hence, the respondents have rightly rejected the candidature of the petitioner.

Therefore, the impugned order dated 18.05.2025 passed by the second respondent does not warrant any interference by this Court and the same is hereby confirmed.

In the result, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

13-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VM

To:

1. The Secretary,
Municipal Administration and Water Supply
Department,
Fort St.George,
Chennai 09.
2. Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board,
C.M.W.S.S Board,
Chennai 02.



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M.DHANDAPANI, J.

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