



W.A.(MD)No.353 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.04.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.A.(MD)No.353 of 2025
and
C.M.P.(MD)No.2912 of 2025

1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Virudhunagar District,
Virudhunagar.

2.The Junior Engineer,
Tamil Nadu Electricity Board Distribution Office,
Koomapatti,
Watrap Taluk,
Virudhunagar.

...Appellants

Vs.

M.Marimuthu

...Respondent

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the order made in W.P.(MD)No.15174 of 2022 dated 06.06.2024.

For Appellants : Mr.M.Ajmal Khan
Additional Advocate General
for Mr.S.Arivalagan



W.A.(MD)No.353 of 2025

For Respondent : Mr.A.D.Ganeshmoorthi

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ appeal is filed challenging the order of the learned Single Judge, in and by which the order rejection of the application of the respondent/writ petitioner seeking compassionate appointment was rejected and a direction was issued to the appellants to re-consider the application of the writ petitioner.

2.The learned Additional Advocate General appearing for the appellants submitted that the writ petitioner is not entitled to compassionate appointment, since her mother was employed only as a part-time sweeper and her services were not regularized. It is contended that, as per the applicable scheme, legal heirs of persons employed on temporary basis, daily wage basis, contract basis, or part-time basis, whose services were not regularized, are not eligible for compassionate appointment. Therefore, the rejection of the petitioner's application was right. However, the learned Single Judge without considering this aspect has directed the appellants to consider the petitioner's application for



W.A.(MD)No.353 of 2025

WEB COPY

compassionate appointment. Hence, the appellants have filed the present appeal.

3.Per contra, the learned counsel for the respondent submitted that the petitioner's mother, though initially appointed as a part-time sweeper, was subsequently brought under regular time scale of pay pursuant to proceedings dated 01.12.2011 in pursuant to the orders of the Hon'ble Supreme Court in Civil Appeal No.9438 of 2010 dated 26.10.2010. Hence, it is contended that the petitioner is entitled to be considered for compassionate appointment.

4.We have carefully considered the submissions made on either side and perused the materials available on record, including the proceedings dated 01.12.2011.

5.A perusal of the proceedings dated 01.12.2011 reveals that the petitioner's mother was brought under regular time scale of pay. Though she was originally appointed as a part-time sweeper, she was subsequently absorbed into regular service. In view of such regularization, the contention of the appellants that the petitioner is not



W.A.(MD)No.353 of 2025

eligible on the ground that his mother was only a part-time employee cannot be sustained.

6.In such circumstances, we are of the view that the learned Single Judge was justified in setting aside the order rejecting the petitioner's request for compassionate appointment and in directing reconsideration of his application. Hence, we are not inclined to interfere with the said application. The appellants are directed to consider the application of the respondent/writ petitioner for compassionate appointment upon satisfying all other eligibility criteria under the relevant scheme.

7.With the above observation, this writ Appeal is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
08.04.2026

Index :Yes/No
Internet :Yes
ta



WEB COPY



W.A.(MD)No.353 of 2025

**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

ta

W.A.(MD)No.353 of 2025

08.04.2026