



W.P.(MD)No.13866 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.06.2026**

CORAM

THE HONOURABLE **Mr.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD)No.13866 of 2026 &
W.M.P.(MD)No.10307 of 2026

R.Stephen Franz

...Petitioner

vs.

1.The Superintending Engineer (Incharge),
Virudhunagar Electricity Distribution Circle,
Virudhunagar.

2.The Executive Engineer,
Rajapalayam Electricity Distribution Circle,
Rajapalayam,
Virudhunagar District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 1st respondent vide Ka.No.0556/Nee A/Nee May/Nee P / U.1/ Ko.Varisu Vellai.Niragarippu /25 dated 20.12.2025 and quash the same as illegal and consequently direct the respondents to give any suitable job to the petitioner under compassionate ground.



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For Petitioner : Mr.A.Balakrishnan

For Respondents : Mr.Arivalagan
Standing Counsel

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned order of the first respondent in Ka.No. 0556/Nee.A/Nee.May/Nee.P/U.1/Ko.Varisu Vellai.Niragarippu/25, dated 20.12.2025 and consequently direct the respondents to give any suitable job to the petitioner under compassionate ground.

2. Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondents.

3. The petitioner herein made a claim for compassionate appointment on the death of his father, who died on 01.08.2021 by submitting an application on 11.06.2024. It was thereafter the petitioner was required to submit all the necessary documents through letter of respondent dated 11.07.2024. In response to the same, the petitioner had submitted the relevant documents only on 11.07.2025. Accordingly, the request of the petitioner was considered and negatived through the impugned order of the



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first respondent dated 20.12.2025 on twin grounds. Firstly, on the ground that the application submitted by the petitioner was not a complete application and all the necessary documents were submitted after a lapse of three years from the date of demise of the petitioner's father. Secondly, on the ground that the mother of the petitioner was employed in Government services as on the date of demise of the petitioner's father. Therefore, in terms of the Scheme for compassionate appointment, the petitioner is not eligible for compassionate appointment.

4. However, the learned counsel appearing for the petitioner submitted that the petitioner has submitted the application for compassionate appointment within three years from the date of demise of the petitioner's father.

5. Admittedly, the application was submitted for the first time only on 11.06.2024, *i.e.*, just before the expiry of three years period from the demise of the petitioner's father. It is not known why the petitioner has kept quiet for nearly three years without making any claim for compassionate appointment. Even though the application is submitted by the petitioner within the three years period, the same is of no consequence, as admittedly, the mother of the petitioner was in service as on the date of demise of the



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petitioner's father. No doubt, the mother of the petitioner also passed away on 17.01.2025 *i.e.*, about three and half years after the demise of the petitioner's father. But, the fact remains that the mother of the petitioner was in Government service during the demise of the petitioner's father, thereby, disentiitling the petitioner to make any claim for compassionate appointment.

6. Further, the provisions providing for compassionate appointment itself are exception to Article 14 and 16 of the Constitution of India. Any claim for compassionate appointment has to fit into the Scheme for compassionate appointment. No concession or exception can be made in this regard and the petitioner has to satisfy the requirements of the Scheme providing for compassionate appointment. The petitioner cannot claim such appointment as a matter of right.

7. In view of the above and in light of the admitted facts situation, this Court is unable to find fault in the impugned order passed by the first respondent. Accordingly, this Writ Petition is dismissed. However, it is made clear that, in case, if the petitioner is in fact depending upon his deceased mother as on 17.01.2025, it is always open for him to make a claim for compassionate appointment consequent upon the demise of his mother and in case, if any such claim is made, the same shall be considered by the



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competent Authorities in accordance with law. No costs. Consequently,
connected Miscellaneous Petition is closed.

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Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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MUMMINENI SUDHEER KUMAR, J.

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