



W.A.(MD)No.877 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.A.(MD)No.877 of 2022

Muthulakshmi

... Appellant

Vs.

1.The District Collector,
Dindigul.

2.The Executive Officer.
Sriramapuram Panchayat Union.
Sriramapuram Village and Post,
Dindigul West Taluk,
Dindigul District.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.17870 of 2019 dated 07.02.2022 on the file of this Court.

For Appellant : Mr.R.Paranjothi

For Respondents : Mr.S.S.Madhavan,
Addl. Government Pleader.



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JUDGMENT
(By G.R.SWAMINATHAN, J.)

The unsuccessful writ petitioner is the appellant before us. The appellant's father was employed as Water Tank Watchman in Srirampuram Panchayat Union. He passed away on 04.12.2016. The writ petitioner submitted application on 28.12.2018 seeking appointment on compassionate grounds. Her request was rejected by the Executive Officer of the local body. Challenging the same, W.P.(MD)No.17870 of 2018 was filed. The learned Single Judge noted that the writ petitioner's brother is employed in Canara Bank and that therefore, the writ petitioner is not eligible. Assailing the said dismissal order dated 07.02.2022, this writ appeal has been filed.

2.The learned counsel for the appellant reiterated all the contentions set out in the grounds of the appeal and called upon this Court to set aside the order impugned in the writ petition as well as the order of the learned Single Judge and grant relief as prayed for.



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3.Per contra, the learned Additional Government Pleader for the respondents submitted that when the writ petitioner is not eligible, the learned Single Judge was justified in dismissing the writ petition.

4.We carefully considered the rival contentions and went through the materials on record. The first point that has to be taken note of is that the application was submitted within time.

5.The next question that calls for consideration is whether the employment of the writ petitioner's brother in Canara Bank can be put against her.

6.It is well settled that the employment of another member of the family will not come in the way if it is shown that he had moved away from the family and he is not supporting the family. It is seen that the writ petitioner's brother / Subramani got married in the year 2011 itself and that he is having his own family. The death of the writ petitioner's father took place in the year 2016. We accept the statement of the writ petitioner that she is not receiving any support from her brother.



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7.It is also seen that the writ petitioner had suffered a major accident and her right hand had suffered amputation below the elbow. The writ petitioner therefore deserves to be considered as a physically challenged candidate also. Talking into account the overall circumstances, we are of the view that the writ petitioner has made out a case for grant of compassionate appointment. However, the writ petitioner cannot insist on any particular post.

8.The learned Additional Government Pleader would point that the post held by her father has since been outsourced by virtue of G.O.(Ms)No.139. The respondents therefore indicate that they can accommodate the writ petitioner in some temporary job and associate with some self-help group. We are not insisting on the course of action to be adopted by the respondents. All that we are holding is that the writ petitioner deserves to be appropriately accommodated. We call upon the respondents to comply with this direction within a period of twelve weeks from the date of receipt of a copy of this order.



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9.In this view of the matter, the order impugned in the writ petition as well as the order of the learned Single Judge is set aside and the writ appeal is allowed. No costs.

(G.R.S. J.) & (R.K.M. J.)
04.02.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

- 1.The District Collector,
Dindigul.
- 2.The Executive Officer.
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Sriramapuram Village and Post,
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