

W.A(MD) No.680 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 04.02.2026

CORAM

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

W.A(MD) No.680 of 2022

M.Manikandan

... Appellant

Vs.

1.The Additional Chief Secretary,
Home Department (Police-18),
Secretariat, Chennai-600 009.

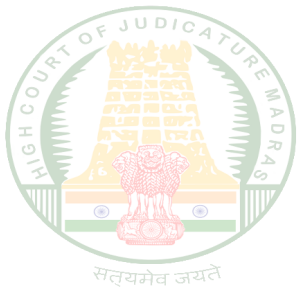
2.The Director of Forensic Science Department,
30-A, Kamarajar Salai,
Mylapore,
Chennai-600 004.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
praying this Court to allow this writ appeal by setting aside the order
passed in W.P.(MD)No.3330 of 2020, dated 23.02.2022.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.S.S.Madhavan
Additional Government Pleader



W.A(MD) No.680 of 2022

ORDER

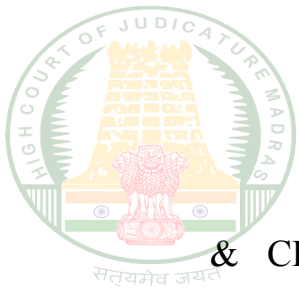
(By G.R.SWAMINATHAN, J.)

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The unsuccessful writ petitioner is the appellant before us. The appellant's mother Nagajothi was working as Lab Assistant in the office of the Director of Forensic Science Department. She passed away on 10.12.2010. The appellant submitted application for appointment on compassionate ground on 02.12.2013. The applicant's request was rejected and the same was put to challenge in W.P.(MD)No.3330 of 2020. The writ petition was dismissed by the learned single Judge vide order dated 23.02.2022 primarily on the ground that the appellant's father was a Government servant during the relevant time. Assailing the said dismissal order, this writ appeal has been filed.

2.The question that calls for consideration is whether the petitioner has made out a case for interference.

3.Admittedly, the application for appointment on compassionate ground was submitted within the limitation period of three years. It is true that the appellant's father was working as junior assistant in the HR



W.A(MD) No.680 of 2022

& CE department. At the first blush, this may appear to be disqualification. But when the facts are scrutinized deeply, a different picture emerges. The appellant's father became a regular employee only in the year 2010. He retired on 01.04.2014. The pay slip of the appellant's father has been produced before us. It is seen that even at the time of retirement, he was only drawing a sum of Rs.8,000/-. The recent G.O.(Ms).No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023 states that a family can be said to be in indigent circumstance, if its annual income from all sources is less than Rs.3,00,000/-. Even if we assume that during the relevant time, the ceiling limit was lower, the case of the petitioner would still fall within the aforesaid expression. We are satisfied that the appellant is in indigent circumstances. While we make it clear that the appellant cannot insist on any particular post, we are more than satisfied that a clear case for interference has been made out.

4. In this view of the matter, considering the special facts and circumstances, the order impugned in the writ petition as well as the order of the learned single Judge are set aside. The respondents are



W.A(MD) No.680 of 2022

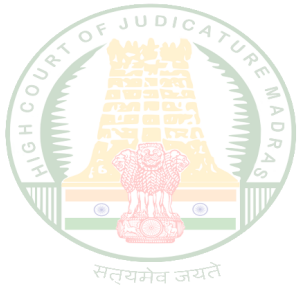
directed to grant compassionate appointment to the petitioner in any post if he deems fit within a period of four months from the date of receipt of a copy of this order. The writ appeal is allowed. No costs.

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

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

- 1.The Additional Chief Secretary,
Home Department (Police-18),
Secretariat, Chennai-600 009.
- 2.The Director of Forensic Science Department,
30-A, Kamarajar Salai,
Mylapore,
Chennai-600 004.



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W.A(MD) No.680 of 2022

G.R.SWAMINATHAN, J.
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W.A(MD) No.680 of 2022

04.02.2026