

W.P.(MD) No.10736 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.04.2026

CORAM

**THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P.(MD) No.10736 of 2026**

and

**W.M.P.(MD) Nos.8410 & 8411 of 2026**

M.Panneer Selvam

... Petitioner

Vs.

1.The Director General of Police,  
Office of the Director General of Police,  
Dr.Radhakrishnan Salai, Mylapore,  
Chennai - 600 004.

2.The Commissioner,  
Chennai Metropolitan City,  
Office of the Commissioner,  
EVK Sampath Salai,  
Vepperi, Chennai - 600 007.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second respondent in Na.Ka.No.Ka.A.Pa.Ni/50/40046/2022, dated 07.07.2022 and quash the same as illegal and consequently direct the respondents to provide compassionate appointment to the petitioner any suitable post in the department.



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For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.S.Shaji Bino  
Special Government Pleader

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### **ORDER**

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second respondent in Na.Ka.No.Ka.A.Pa.Ni/50/40046/2022, dated 07.07.2022 and quash the same as illegal and consequently to direct the respondents to provide compassionate appointment to the petitioner in any suitable post in the department.

2. The petitioner herein made a claim for compassionate appointment by submitting an application dated 04.06.2022 on the ground that his elder brother, by name Arun Raj, while working as a Policeman in the 35<sup>th</sup> Battalion Reserve-I, died on 04.03.2018 after a bullet struck his head. It was thereafter, the petitioner claims to have submitted an application on 19.06.2019 seeking compassionate appointment upon the death of his brother and the same is stated to have been rejected on



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25.06.2019. However, there is no material placed before this Court to show that the petitioner submitted such an application on 19.06.2019.

3. Be that as it may, admittedly, the petitioner has not chosen to take any steps against the so-called rejection order dated 25.06.2019 till date. However, the petitioner claims to have submitted another application on 04.06.2022 seeking compassionate appointment and the same has now been rejected by the second respondent by passing the impugned proceedings dated 07.07.2022 on two grounds: firstly, on the ground that the application submitted by the petitioner is beyond the period of three years from the date of demise of his brother and therefore, cannot be considered; and secondly, on the ground that the petitioner, being a married brother of the deceased Government servant, is not entitled to compassionate appointment. It is aggrieved by the said proceedings dated 07.07.2022 that the petitioner has filed the present Writ Petition.

4. Though it is contended by the learned counsel for the petitioner that the petitioner had submitted an application on an earlier occasion on 19.06.2019 and that the same was rejected on 25.06.2019, there is no material placed before this Court to show that the petitioner had in fact



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submitted any such application or that an order was passed rejecting the same. Even accepting the case of the petitioner, admittedly, there was a rejection of the claim as early as on 25.06.2019 and there was no challenge to the same. Hence, the question of challenging the said proceedings at this length of time does not arise, especially while seeking compassionate appointment.

5. Therefore, admittedly, the petitioner has submitted the application on 04.06.2022 beyond the period of three years from the date of demise of his brother, i.e., 04.03.2018. Therefore, this Court finds no fault with the action of the second respondent in issuing the impugned order on the ground of delay. It is not in dispute that in order to consider a claim for compassionate appointment, the applicant is required to submit an application within a period of three years from the date of demise of the Government servant.

6. In the light of the above admitted facts and circumstances, this Court is unable to find fault with the order passed by the second respondent, which is impugned in the present Writ Petition. Insofar as the other reason assigned in the impugned proceedings, namely that the

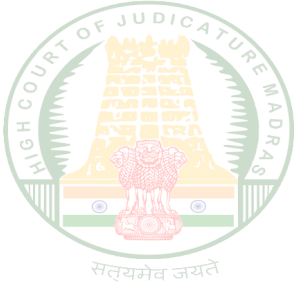


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petitioner, being a married brother, is not entitled to compassionate appointment, is concerned, this Court does not see any reason to examine the correctness of the said ground, since the application submitted by the petitioner itself is belated and does not cast any obligation on the respondents to consider the same.

7. The impugned proceedings were passed as early as 07.07.2022. The petitioner has approached this Court for the first time challenging the said proceedings only in April 2026, i.e., after a lapse of nearly four years. For this reason also, this Court is not inclined to entertain the Writ Petition on the ground of delay and laches. Compassionate appointment is a concession provided by the State as an exception to Article 16 of the Constitution of India and cannot be claimed as a matter of right. Unless the petitioner falls within the four corners of the scheme, the question of granting compassionate appointment does not arise.

8. In the present case, the petitioner is aged about 40 years, married and has his own family. Therefore, this Court is of the considered view that this is not a fit case to exercise jurisdiction under Article 226 of the Constitution of India to interfere with the impugned proceedings.



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WEB COPY 9. Accordingly, this Writ Petition is dismissed. No costs.

Consequently, the connected Miscellaneous Petitions are closed.

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

To

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**MUMMINENI SUDHEER KUMAR, J.**

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