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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WP No. 1752 of 2024

and

W.M.P.No.1802 of 2024

Union of India
Rep. By The Principal Chief Personnel Officer,
Southern Railway Park Town,
Chennai-600 003.

..Petitioner(s)

Vs

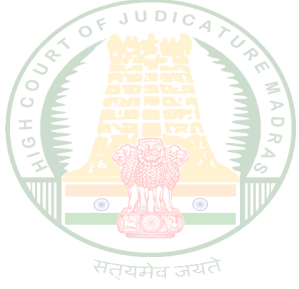
1. Suvarthamma,
M/o.Late.Janardhana Rao,
No.12/11, 4th Street Chigrinthapalayam,
Korukkupet,
Chennai-600 021.
2. The Registrar
Central Administrative Tribunal,
Madras Bench, Chennai.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India to
call for the records from the file of the 2nd respondent in O.A. No.115 of 2020
dated 28.02.2023 and quash the same.

For Petitioner(s): Mr.C.Kulanthaivel

For Respondent(s): No appearance for R1
R2-Tribunal

**ORDER****(Order of the Court was made by S.M.Subramaniam J.)**

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Union of India preferred the present writ petition challenging the order of the Central Administrative Tribunal, Chennai Bench, passed in O.A.No.115 of 2020 dated 28.02.2023.

2. The issue involved in the present lis is for compassionate appointment.

3. The husband of the respondent late.Mosanna was employed in Southern Railways. He died in the year 2001, while in service. The elder son of the deceased employee filed an application seeking appointment on compassionate ground. Appointment was offered to the elder son of the deceased employee and he joined in Group-D post on 09.06.2004. He was working for about 11 years and unfortunately, the elder son of the deceased employee who was appointed on compassionate ground in Southern Railways also died in the year 2016. Consequently, the respondent was sanctioned two family pensions, one for the death of her husband and another for the death of her elder son. Again, she submitted an application seeking appointment on compassionate ground to provide employment to her younger son who was aged about 35 years at that point of time. The Department, considering that the family is not in indigent circumstances, rejected the claim vide proceedings dated 13.08.2019. The reason stated by the writ petitioner/Railways is that the younger son of the respondent Shri.Venkata



Koteswara Rao was aged about 35 years at the time of the death of his elder brother. He was neither infirm nor otherwise incapacitated. He cannot be deemed to be a dependant of late Janardhana Rao as defined by the Railways Rules. That apart, Shri, Venkata Koteswara Rao was not included as dependant in the family composition register of Shri.Janaradhana Rao. Considering the fact that the elder son of the respondent was not included as a dependant of the elder son of the respondent, the writ petitioner declined to grant appointment on compassionate ground. That apart, during the course of assessment, the authorities found that the family was not in financial crisis. More so, the respondent is receiving two family pensions. Thus, the family is not eligible for another compassionate appointment.

4. This Court is of the considered view that the compassionate appointment is a scheme and the very purpose and object is to mitigate the circumstances arising on account of the sudden death of an employee. It is not aimed to provide one appointment to the family of deceased employee. In the present case, the elder son of the deceased was employed on compassionate appointment and he died as a bachelor after serving 11 years in Southern Railways. The younger son of the deceased employee was not included as the dependent of the elder son. More so, the respondent mother was receiving two family pensions.

5. That being the factum, the Department declined to entertain the application for providing compassionate appointment. The finding of the Central Administrative Tribunal as well as the directions issued are running



counter to the terms and conditions of the Scheme of compassionate appointment. Thus, the order impugned passed in O.A.No.115 of 2020 dated

28.02.2023, is set aside. The Writ Petition stands allowed. No costs.

Consequently, connected miscellaneous petition is closed.

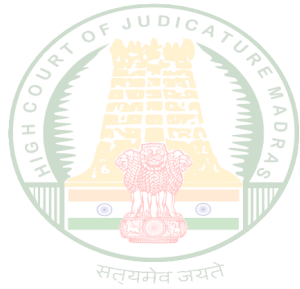
(S.M.S.,J.) (N.S.,J.)
15-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI

To

1. Mrs.Suvarthamma,
M/o.Late.Janardhana Rao,
No.12/11, 4th Street Chigrinthapalayam,
Korukkupet Chennai-600 021.
2. The Registrar
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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

vsi

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