

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.A.No.2217 of 2023
AND
C.M.P.No.19202 of 2023

N.Logeshwaran

... Appellant

-VS-

1. The Chairman-cum-Managing Director
Tamil Nadu Generation and Distribution
Corporation Ltd., No.144,
Anna Salai, Chennai – 600 002.
2. The Chief Engineer / Personnel
Tamil Nadu Generation and Distribution
Corporation Ltd., No.144,
Anna Salai, Chennai – 600 002.
3. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., Erode Electricity
Distribution Circle, EVN Road,
Erode – 638 009.

... Respondents

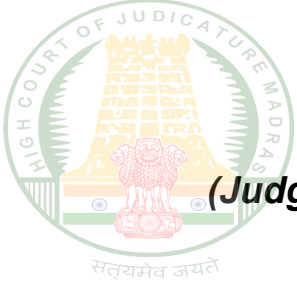
Prayer: To set aside the order passed in W.P.No.6780 of 2023 dated
08.03.2023.

For Appellant:

Mr.R.Muralikrishnan

For Respondents:

Mr.Shiek Thaveer Ahamed
For Mr.K.Rajkumar



J U D G M E N T

(Judgment of the Court was delivered by S.M.Subramaniam J.)

WEB COPY

The writ order dated 08.03.2023 passed in W.P.No.6780 of 2023 is under challenge in the present Intra Court Appeal. Writ Petitioner is the appellant before this Court.

2. The father of the Writ Petitioner / Appellant Late P.Nallathambi, served in the respondent / Board and died in harness on 17.04.2009, while he was in service. At the time of death of the employee, the appellant was aged about 12 years. In the year 2016, mother of Appellant submitted an application seeking appointment on compassionate ground to her son / appellant. The said application was rejected vide order dated 06.06.2022 on the ground that the application has not been submitted within a period of three years from the date of death of deceased.

3. The period of three years is reckoned from the date of death of the deceased employee. Therefore, an eligible legal heir of the deceased employee may submit an application for compassionate appointment within a period of three years from the date of the death of the deceased employee. The application made by the legal heir, beyond

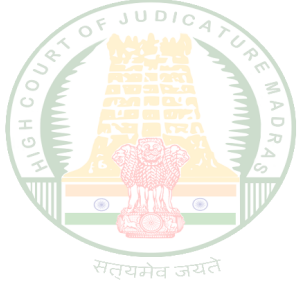


WEB COPY

the period of three years, is inadmissible under the terms and conditions of the scheme. That apart, mother of appellant submitted an application after a lapse of six years from the date of death of her husband, seeking Government appointment on compassionate ground to her son.

4. Pertinently, seeking appointment on compassionate ground is a concession and not an absolute right. The scheme is to be implemented strictly in accordance with the terms and conditions stipulated. If at all an eligible legal heir of the deceased employee submits an application within a period of three years from the date of the employee's death, such application shall be considered strictly in accordance with the eligibility criteria prescribed under the compassionate appointment scheme. Indigent circumstances are required to be established not merely by producing a Certificate issued by the Tahsildar, but based on the factual aspects. The Authorities Competent are bound to verify the indigent circumstances, since appointment on compassionate grounds, are provided only to the deserving families.

5. Appointment on compassionate grounds is violative of Articles 14 and 16 of the Constitution of India, since there is no assessment of merit or rule of reservation followed. In the present case,



S.M.SUBRAMANIAM,J.
AND
N.SENTHILKUMAR,J.
AR

WEB COPY

the writ Court considered the scope of the scheme and dismissed the writ petition. This Court does not find any infirmity in the writ order. Consequently, the writ appeal stands dismissed. No costs. Consequently, connected Miscellaneous petitions is closed.

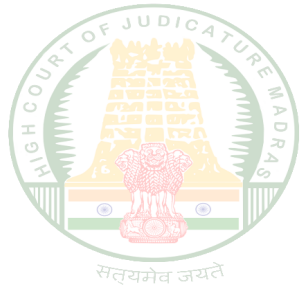
(S.M.S.,J.) (N.S.,J.)
08-07-2026

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

To:

1. The Chairman-cum-Managing Director
 Tamil Nadu Generation and Distribution
 Corporation Ltd., No.144,
 Anna Salai, Chennai – 600 002.
2. The Chief Engineer / Personnel
 Tamil Nadu Generation and Distribution
 Corporation Ltd., No.144,
 Anna Salai, Chennai – 600 002.
3. The Superintending Engineer,
 Tamil Nadu Generation and Distribution
 Corporation Ltd., Erode Electricity
 Distribution Circle, EVN Road,
 Erode – 638 009.

W.A.No.2217 of 2023



WEB COPY

