

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-08-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.23492 of 2015

A.Tamil Selvan

...Petitioner

vs

1. The Chief Engineer (Personnel)
Tamil Nadu General Electricity Distribution Corporation
No.144, Anna Salai
Chennai 600 002
2. The Chief Engineer
Mettur Thermal Power Station
Mettur Dam,
Salem District
3. The Superintending Engineer
(Purchase & Administration)
Mettur Thermal Power Station
Mettur Dam,
Salem District

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the genuine case of the petitioner for compassionate appointment and provide suitable appointment under any category.

For Petitioner : Ms.S.Girija

For Respondents : Mr.P.R.Dhilipkumar

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner would state that his father viz. I.Arthanari, was a Contract Labourer working in the Coal Handling Plant-I, Mettur Power Station, from 1.1.1988, and the said system was abolished in the Thermal Power Station, with effect from 30.4.1999. It is further stated by the petitioner that his father as well as persons similarly placed, filed W.P.Nos.5709 to 5731 of 1999 seeking absorption as permanent employee (Helper) of the respondent, and this Court, while disposing of the writ petitions, has directed the Designated Authority to consider their claim and take appropriate decision and accordingly, the Designated Authority vide order dated 31.3.2000, made in C.P.No.123 of 1999, filed by the father of the petitioner, has given a finding that he is entitled for regularisation by absorption as permanent employee in the services of the Tamil Nadu Electricity Board and this order has become final.

3.According to the petitioner, his father died on 19.3.2000, just 12 days prior to the said order, and a legal heir certificate has also been obtained and the mother of the petitioner has submitted an application dated 21.6.2000, to appoint her son on compassionate ground and the petitioner also submitted an application dated 24.2.2003, in the prescribed format, and followed it up either in person or through the concerned Union, and since no orders have been passed, came forward to file this writ petition.

4.The learned Counsel appearing for the petitioner, would submit that the order of absorption dated 31.3.2000, passed by the Designated Authority in C.P.No.123 of 1999, has become final and though within three months from the date of demise of the petitioner's father, necessary application has been submitted praying for appointment on compassionate ground, the respondents did not choose to pass any orders and hence, the petitioner is constrained to approach this Court by filing the present writ petition.

5.The Court heard the submissions of Mr.P.R.Dhilipkumar, learned Standing Counsel, who accepted notice on behalf of the respondents, also.

6.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, permits the petitioner to submit a reminder to the respondents 1 to 3 by enclosing a copy of this order as well as a copy of his earlier application dated 24.2.2003, within a period of two weeks from the date of receipt of a copy of this order, and the respondents 1 to 3, on receipt of the same, are directed to consider and pass orders on

the said reminder, within a period of six weeks thereafter and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

nsv

To

1. The Chief Engineer (Personnel)
Tamil Nadu General Electricity
Distribution Corporation
No.144, Anna Salai
Chennai 600 002
2. The Chief Engineer
Mettur Thermal Power Station
Mettur Dam, Salem District
3. The Superintending Engineer
(Purchase & Administration)
Mettur Thermal Power Station
Mettur Dam, Salem District

1 CC to Ms.S.Girija, Advocate SR.No. 39756

1 CC to Mr.P.R.Dhilipkumar, Advocate SR.No. 39589

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W.P.No.23492 of 2015

VSN (CO)
PSI (17.08.2015)