

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.06.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.19275 of 2016

K.Ulaganathan

.. Petitioner

Vs.

1.The Chief Engineer [Personnel],
Tamil Nadu Generation and Distribution
Corporation Ltd [TANGEDCO],
144, Anna Salai, Chennai - 600 002.

2.The Superintending Engineer,
Thiruvannamalai Electricity Distribution Circle,
Thiruvannamalai, Thiruvannamalai District. ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to take appropriate action on the petitioner's request for compassionate appointment as directed in the proceedings of the first respondent in Letter No.086859/764/G8/G81/2015-1 dated 24.11.2014 and pass appropriate orders.

For Petitioner : Mr.P.Rajendran

For Respondents : Mrs.Varalakshmi

Standing Counsel for TNEB

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the second respondent to take appropriate action on the petitioner's request for compassionate appointment as directed in the proceedings of the first respondent in Letter No.086859/764/G8/G81/2015-1 dated 24.11.2014 and pass appropriate orders.

2.The petitioner's mother served in the respondent-Board as Sweeper and died on 27.05.2014, while she was in service. Thereafter, the petitioner submitted his representations dated 08.10.2015, 13.10.2015 and 19.10.2015 seeking appointment on compassionate ground. According to the petitioner, he lost his copies of the said representations while travelling from Thiruvannamalai to Chennai. On 24.11.2015, the first respondent forwarded his representations to the second respondent to take

appropriate action as per rules but till date no orders have been passed and hence, the Writ Petition has been filed.

3.The learned counsel for the petitioner would submit that the only grievance of the petitioner is that his mother died and she was a regularised employee and as per law, he is entitled for compassionate appointment and he made many representations and the last representation was on 19.10.2015. Based on the representation dated 19.10.2015, a proposal has been sent by the first respondent to the second respondent for approval and thereafter, no order has been passed.

4.Mrs.Varalakshmi, the learned Standing Counsel for TNEB for the respondents on instructions would submit that the papers of the petitioner's mother were sent for regularisation but before that regularisation was over, she died and therefore, they sought a clarification from the Government whether these people are entitled to. Since it is awaiting clarification from the Government they have not passed any orders.

5.Heard both sides.

6.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the respondents to consider the petitioner for employment on compassionate ground, after getting necessary instructions from the Government and pass appropriate orders, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7.The Writ Petition is disposed of accordingly. No costs.

-s/d-
सहायक न्यायाधीश
Assistant Registrar (CSIV)

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Sub-Assistant Registrar

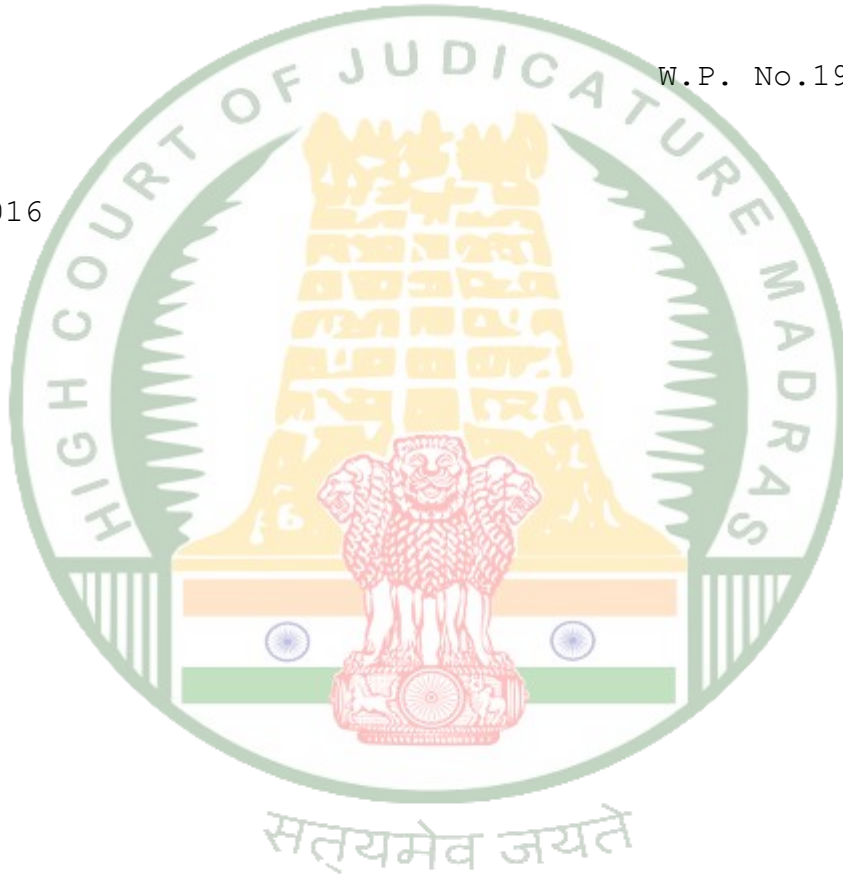
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To

- 1.The Chief Engineer [Personnel],
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Corporation Ltd [TANGEDCO],
144, Anna Salai, Chennai - 600 002.
- 2.The Superintending Engineer,
Thiruvannamalai Electricity Distribution Circle,
Thiruvannamalai, Thiruvannamalai District.

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