

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.40946 of 2015
& MP.No.1 of 2015

1.S.Madhavi
2.S.Selvamani

...Petitioners

Vs.

The Chief Engineer,
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned letter of the respondent Vide 103955/875/G9/G9(1)/2013 dated 10.04.2015 and quash the same and directing the respondent to taking into consideration of the first petitioner's representation dated 10.07.2002 and appoint the second petitioner on compassionate ground in any one of the suitable post.

For Petitioner : Mr.S.Arivazhagan
For Respondent : Ms.R.Varalakshmi

O R D E R

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

2. The writ petition has been filed to quash the impugned order of the respondent dated 10.04.2015 and to direct the respondent to consider the representation of the first petitioner dated 10.07.2002 and appoint the second petitioner on compassionate ground in any one of the suitable post.

3. The case of the petitioners is that their mother late.Mrs.Dhanalakshmi was working as Junior Assistant in the respondent Corporation and on 18.10.2001, she died in harness. Immediately, the first petitioner made a representation to the respondent on 10.07.2002 requesting to provide appointment to the second petitioner on completing the age of 18 years on the compassionate ground. However, by the impugned order dated 10.04.2015, the application was rejected on the ground that on the date of application, the second petitioner has not completed the age of 18 years and the application was not filed within a period of three years from the date of death of their mother.

4. Mr.S.Arivazhagan, learned counsel appearing for the petitioner submitted that the petitioners' mother died on 18.10.2001 and within a period of one year, an application was given on 10.07.2002, seeking appointment on compassionate ground. The respondents without considering the above fact passed the impugned order on 10.04.2015. Immediately, the second petitioner sent a detailed representation on 28.11.2015 stating that the application was filed within a period of three years and the petitioner is entitled for appointment on compassionate ground. The learned counsel further submitted that though the petitioner has prayed for quashing the impugned order, it would be suffice to direct the respondent to consider the representation of the petitioner dated 28.11.2015.

5. Heard Mr.S.Arivazhagan, learned counsel appearing for the petitioner and Ms.R.Varalakshmi, learned counsel appearing for the respondent.

6. This Court, considering the submission of the learned counsel for the petitioner and without going into the merits of the case, directs the respondent to consider the representation of the second petitioner dated 28.11.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

7. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

dn/sms

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Chief Engineer,
TANGEDCO,
No.144, Anna Salai,
Chennai-600 002.

+1 CC to M/S.R.Varalakshmi, Advocate Sr.1055/16
+1 CC to M/S.S.Arivazhagan, Advocate Sr.648/16

CO-AK

ths : 27.01.2016

W.P.No.40946 of 2015