

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5941 of 2016

Karunambal

W/o late Shri Palanisamy

.. Petitioner

-vs-

1. The Chairman
TANGEDCO
No.144, Anna Salai
Chennai-2

2. The Superintending Engineer
Perambalur Electricity Distribution Circle
TANGEDCO, Perambalur

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records in Ka.No.131089/Adm 1/U-4/Koo Va.Vaa/2016 dated 19.01.2016 on the file of the second respondent herein and quash the same and consequently direct the respondents to provide job assistance on compassionate ground.

For Petitioner :: Mr.B.Manoharan

For Respondents :: Mrs.R.Varalakshmi

ORDER

The petitioner has challenged the order of the Superintending Engineer, Perambalur Electricity Distribution Circle, Tamil Nadu Electricity Generation and Distribution Corporation (TANGEDCO) in letter No.131089/Adm 1/U-4/Koo Va.Vaa/2016 dated 19.01.2016, rejecting the application of the petitioner for compassionate appointment to her third married daughter.

2. At the outset, since the issue relates to compassionate appointment, when this Court posed a question to the learned counsel for the petitioner as to whether the two elder daughters of the petitioner were employed or not, the learned counsel replied that the same cannot be a ground for rejection of the application. The reply of the learned counsel cannot be the answer to the Court's question, as even in the

affidavit nothing has been mentioned in respect of the two elder daughters of the petitioner.

3. Be that as it may, even on merits, this Court has already settled the issue that the married daughters are not entitled to get the benefit of compassionate appointment. In the present case, the petitioner's husband late Palanisamy died on 15.8.2012 leaving behind the petitioner-wife and three daughters, as could be seen from the legal heirship certificate enclosed in the typedset. When the application was made by the petitioner, being the wife of the deceased, it is not known why she has not chosen to seek employment in respect of the first two daughters. That shows that the family is not in a penurious condition. Since the affidavit filed by the petitioner also does not throw any light either on the status of the first two daughters or about their husbands whether they are employed in Government service or privately, this Court is not in a position to ascertain whether the petitioner is leading a penurious life. Therefore, this Court is not inclined to entertain the writ petition seeking for compassionate appointment only to the third daughter of the petitioner, who is also married. Accordingly, the writ petition fails and it is dismissed. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

ss

To

1. The Chairman
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO)
No.144, Anna Salai
Chennai 600 002
2. The Superintending Engineer
Perambalur Electricity Distribution Circle
TANGEDCO
Perambalur

1 cc to M/s.B. Manoharan, Advocate, Sr. 10699
1 cc to Mrs.R. Varalakshmi, Advocate, Sr. 10350

W.P.No.5941 of 2016

RSI (CO)
kk 8/3