

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14-12-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33112 of 2012

And

M.P.No.1 of 2012

Mrs.D.Anjali

.. Petitioner

-vs-

1.The Chief Engineer (Establishment),
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai-2.

2.The Superintending Engineer,
Dharmapuri Electricity Distribution Circle,
(TANGEDCO),
Dharmapuri-5. .. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the second respondent in his proceedings No.0176/411/Ni.Pi.2/U.3/Ko.Vaarisu Velai/2012 dated 17.11.2012, to quash the same and consequently direct the respondents to appoint the petitioner on compassionate grounds in their services for a suitable post.

For Petitioner - Mr.C.Prabakaran

For Respondents - Mr.M.Fakkir Mohideen

ORDER

The order of rejection passed by the second respondent in proceedings dated 17.11.2012 in relation to the claim of the writ petitioner for compassionate appointment is under challenge in this writ petition.

2. On a perusal of the order impugned in this writ petition, the respondents have rejected the claim of the writ petitioner, seeking compassionate appointment on the ground that the writ

petitioner has passed only V Standard (5th Standard) and as per the Service Rules of the Board, a person seeking compassionate appointment should have completed the minimum educational qualification of a pass in VIII Standard (8th Standard), since the writ petitioner has not passed the VIII Standard, the application submitted by the writ petitioner, seeking compassionate appointment was rejected.

3. The learned counsel, appearing on behalf of the writ petitioner, while not disputing the educational qualification prescribed by the Board in this regard, informed this Court, subsequently, the writ petitioner has taken all sincere attempts to clear her VIII Standard. However, it is left open to the writ petitioner to submit a fresh application, if she has passed VIII Standard during the pendency of this writ petition.

4. However, the fact remains that on the date of submitting the application, seeking compassionate appointment, the writ petitioner was not possessing the requisite educational qualification of a pass in VIII Standard. Thus, the appointment on compassionate ground, cannot be granted in accordance with the terms and conditions of the scheme itself.

5. Thus, there is no infirmity in respect of the order impugned in this writ petition. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Chief Engineer (Establishment),
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai-2.

2.The Superintending Engineer,
Dharmapuri Electricity Distribution Circle,
(TANGEDCO),
Dharmapuri-5.

+1cc to Mr.M.Fakkir Mohideen, Advocate, S.R.No.89815
+1cc to Mr.C.Prabakaran, Advocate, S.R.No.89517

WP 33112 of 2012

CS (CO)
RRK(12/01/2018)



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