



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2017

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CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.(MD) No.769 of 2017

V.Mariammal ... Appellant/4th Respondent

-vs-

1.R.Gangavalli ... 1st Respondent/Petitioner

2.The Chairman
TANGEDCO
Production Cum Distribution
144, Annasalai, Chennai

3.The Superintendent Engineer
TANGEDCO
Cuddalur Distribution Circle
Cuddalur

4.The Assistant Executive Engineer
TANGEDCO
Viruthachalam Town
Cuddalore District ...2 to 4 Respondents/Respondents 1 to 3

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 22.09.2014, made in W.P.(MD) No.11004 of 2014.

Prayer in WP(MD)No.11004/2014:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to provide employment to petitioner on compassionate ground in view of the death of petitioner husband namely V.Rajendrakumar who was working in the 2nd Respondent office by considering petitioner s representation dated 26.08.2013 and pass such further orders.



For Appellant : Mr.A.Haja Mohideen

For Respondents : Mr.S.C.Herold Singh for R1
Mr.G.Kasinatha Durai for R2 to R4

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J U D G M E N T

[Judgment of the Court by T.S.SIVAGNANAM, J.]

This writ appeal is directed against the order, dated 22.09.2014, made in W.P.(MD) No.11004 of 2014, which was filed by the first respondent herein, who is none other than the daughter-in-law of the appellant, seeking direction upon the official respondents to provide her compassionate appointment on the demise of her husband V.Rajendrakumar, son of the appellant herein.

2. According to the appellant, the first respondent / daughter-in-law deserted her son during the lifetime. Therefore, she should not be granted any appointment on compassionate ground.

3. Admittedly, the marriage between the said Rajendrakumar and the first respondent / writ petitioner was not dissolved by a decree of divorce. Probably, there might have been differences of opinion between the couple. That cannot be a reason for the appellant to object to the first respondent's application for compassionate appointment. The appellant would have no jurisdiction to object to such a request and it is for the officials of the Electricity Board to consider the application on merits.

4. Thus, for all the above reasons, we are of the view that the appellant has not made out any ground to interfere with the impugned order.

5. In the result, the writ appeal fails and it is dismissed. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

+One cc to Mr.A.Hajamohideen, Advocate, SR.No.61336

+One cc to Mr.G.Kasinathadurai, Advocate, SR.No.61308

krk/ia

RL/3C/2P/KP/SAR1/5/7/2017