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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.6538 of 2014

T.Vaitheki

... Petitioner

Vs.

1.The Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Recruitment Office, TNEB,
NPKRR Maaligai,
144, Anna Salai,
Chennai-600 002.

2.The Executive Engineer,
Tirunelveli Electricity Distribution Region,
Tamil Nadu Generation and Distribution Corporation Ltd (TNEB),
Maharaja Nagar,
Tirunelveli 627 011.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to appoint the petitioner for any eligible post on compassionate grounds within the time stipulated by this Court.

For Petitioner : Mrs.N.Kamala Jeyanthi
For Mr.Jamil Arasu

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus, directing the respondents to appoint the petitioner for any eligible post on compassionate grounds, within the time stipulated by this Court.

2.Heard Mrs.N.Kamala Jeyanthi, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

3.The petitioner's father, one M.Thangapandian, was the erstwhile employee of the respondent Corporation and he died on 17.03.2003. Thereafter, in order to get compassionate appointment, the petitioner's mother had given a representation on 12.01.2005, the same was not considered. However, subsequently, the petitioner who is the daughter of the deceased employee, since having the

qualification of B.E (Electrical), had made an application on 01.04.2014, seeking for compassionate appointment and the said application is still pending with the respondent Corporation. Therefore, the learned counsel appearing for the petitioner would submit that, if the said representation is directed to be considered on merits and in accordance with law and an order to that effect is directed to be passed, the petitioner would be satisfied.

4.I have heard Mrs.S.Srimathy, learned Standing Counsel appearing for the respondents, who would submit that, the said representation given by the petitioner, seeking for compassionate appointment on 01.04.2014 would be considered on merits, and an order to that effect would be passed, within a time frame that may be stipulated by this Court.

5.Considering the said submission made by both sides and taking into account the facts of the case, this Court is inclined to pass the following order:-

"that the respondents are directed to consider the representation of the petitioner, dated 01.04.2014, with regard to the grievance of the petitioner, seeking for compassionate appointment as she lost her father, who is the erstwhile employee of the respondent Corporation, thereafter, even though the petitioner's mother had made a request to the respondent Corporation for compassionate appointment, it was not considered. Therefore, in continuation of the same with the qualification of B.E. (Electronics), the petitioner had given the said application and therefore, the same can be considered, by taking into account the penurious circumstances and indigent situation of the petitioner's family and accordingly, by taking into account the relevant G.Os. and judgments made in this regard, the respondents shall pass order with regard to the compassionate appointment of the petitioner and such order shall be passed, within a period of six weeks from the date of receipt of a copy of this order."

6.With this direction, the writ petition is disposed of. No costs.

Sd/
Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar(CS-II)

To

1.The Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Recruitment Office, TNEB,
NPKRB, Maaligai,
144, Anna Salai,
Chennai-600 002.



2.The Executive Engineer,
Tirunelveli Electricity Distribution Region,
Tamil Nadu Generation and Distribution Corporation Ltd (TNEB),
Maharaja Nagar,
Tirunelveli 627 011.

+1cc to Mr.N.KAMALA JEYANTHI, Advocate, SR.No. 76846

W.P. (MD) No.6538 of 2014
02.08.2018

RMI
KK/RP/SAR-2/19.09.2018/3P-4C