

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2019

CORAM :

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

Writ Appeal No.10 of 2018 and
CMP No.148 of 2018

M.Vigneswaran Appellant/ Petitioner

Vs

The Superintending Engineer
Tamil Nadu Electricity Board
Mettur Electricity Distribution Circle
Mettur Dam-1
Salem District Respondent/ Respondent

PRAYER: Writ Appeal filed under clause 15 of Letters
Patent, against the Order dated 06.11.2017 in
W.P.No.33299 of 2013.

Prayer in W.P.No.33299 of 2013:

issue Writ of Certiorarified Mandamus Calling for
the records from the Respondent relating to the order
bearing Ka.No.Me.PO / Me/ Nipi 1 (3) [KO.Vaa.Ve /
No.09649 / 2012 dt.12.04.2012 and quash the same and
direct the Respondent to provide employment to the
petitioner on compassionate ground and award costs.

For Appellant : Mr.S.Ayyathurai
For Respondent : Mr.P.R.Dhilip Kumar

O R D E R

(Order of the Court was made by K.K.SASIDHARAN,J.)

The application submitted by the appellant for
compassionate appointment was rejected by the Tamil Nadu
Electricity Board on the ground that there was a
considerable delay in making the application. The learned
single Judge agreed with the contention taken by the
respondent resulting in dismissing the Writ Petition.
Feeling aggrieved, the appellant has come forward with
this intra Court Appeal.

2. We have perused the material papers produced
by the appellant. The father of the appellant was a
Lineman. He was electrocuted while in service. Under such
circumstances, the appellant made an application for
compassionate appointment.

3. The respondent rejected the application like any other application on the ground of delay. We have therefore passed an order directing the respondent to pass appropriate orders giving compassionate appointment to the appellant.

4. The TANGEDCO through its Superintending Engineer complied with the direction and issued orders of appointment dated 16.04.2019. The Executive Engineer, Operation and Maintenance also passed an order dated 20.04.2019, posting the appellant at Mettur Electricity Distribution Circle and allotted to Sankari Division.

5. The TANGEDCO has changed its indifferent attitude now by giving appointment to the appellant. Since the earlier direction of this Court has already been complied with, there is no need for further adjudication of the issue raised by the appellant.

6. The TANGEDCO must consider the request of the legal representatives of those employees who were electrocuted in a compassionate manner. Those employees have sacrificed their life in connection with their employment. The application like the appellant should be given due consideration with priority.

7. The intra Court Appeal is disposed of, with the above observation. There shall be no order as to costs. Consequently, connected miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vrn/sri
To
The Superintending Engineer
Tamil Nadu Electricity Board
Mettur Electricity Distribution Circle
Mettur Dam-1
Salem District.

+1cc to Mr.S.Ayyathurai , Advocate SR.No. 38475

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A.SK(11/06/2019)