



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :04.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.24592 of 2019

WEB COPY

A.Yogesh

.. Petitioner

Vs.

1.The Chairman,
Tamil Nadu Generation &
Distribution Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Villupuram Electricity Distribution Circle,
Tamil Nadu Generation &
Distribution Corporation (TANGEDCO),
Villupuram.

.. 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 consider and pass orders on the representation of the petitioner dated 25.02.2019 in the light of the order passed in W.P.No.7182 of 2011 dated 01.04.2011 in the case of J.Chinnadurai Vs. The Chief Engineer (Personal) & others.

For Petitioner : Mr.D.Rajkumar

For Respondents : Mr.Fakkir Mohideen

O R D E R

The prayer sought for in this Writ Petition is to direct the respondents to consider and pass orders on the representation of the petitioner dated 25.02.2019 in the light of the order passed in W.P.No.7182 of 2011 dated 01.04.2011 in the case of J.Chinnadurai Vs. The Chief Engineer (Personal) & others.



2. The case of the petitioner is that his father died while in service on 20.10.2010 and her mother made an application for compassionate appointment within a period of three years. Thereafter, the petitioner's mother made representation to extend appointment to the petitioner since her health condition was affected. The said representation was rejected on the ground that the petitioner has not completed 18 years of age. After attaining majority, the petitioner made a representation on 25.02.2019 to the 2nd respondent. However, till date the said representation was not considered. Therefore, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that it would be suffice to issue direction to the 2nd respondent to consider and dispose of the petitioner's representation dated 25.02.2019, on merits and in accordance with law.

4. The learned counsel appearing on behalf of the respondent would submit that initially the application made by the petitioner's mother was returned on the ground that Educational certificate has not been produced along with the application. Thereafter, the petitioner's mother made a representation on 08.08.2014 and the same was rejected on the ground that the petitioner was not eligible and said representation was not made within a time stipulated for the compassionate appointment. On 25.02.2019, the petitioner once again made a representation to the 2nd respondent seeking compassionate appointment. Therefore, the Writ Petition filed by the petitioner is unsustainable one. Accordingly, he sought for the dismissal of the Writ Petition.

5. Considering the facts and circumstances of the case that the application made by the petitioner's mother on an earlier occasion is rejected and without challenging the said order, the application now made by the petitioner for the compassionate appointment is unsustainable one. Accordingly, the Writ Petition is dismissed. No costs. However, liberty is granted to the petitioner to workout his remedy in the manner known to law.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

1.The Chairman,
Tamil Nadu Generation &
Distribution Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Villupuram Electricity Distribution Circle,
Tamil Nadu Generation &
Distribution Corporation (TANGEDCO),
Villupuram.

+1 cc to Mr.S.Doraisamy Advocate sr91395

+1 cc to Mr.M.Fakkir Mohindeen Advocate sr91396

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aa08/01/2020