

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10.02.2020
CORAM
THE HON'BLE MR.JUSTICE M.GOVINDARAJ
W.P.No.26563 of 2010

S.Avanivendhan

...Petitioner

vs

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai - 2.

2.The Chief Engineer (Personnel),
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai - 2.

3.The Superintendent Engineer,
Pudugai Electricity Distribution Circle,
Pudukottai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records made in Letter No.029355/167/G64/G642/2009-2 dated 25.08.2009 on the file of the second respondent and quash the same and direct the respondents 1 and 2 to provide suitable employment to the petitioner on compassionate ground.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.Fakir Mohideen

सत्यमेव जयते
O R D E R

The Writ Petition has been filed to quash the impugned letter dated 25.08.2009 passed by the second respondent and to direct the respondents 1 and 2 to provide employment on compassionate ground to the petitioner herein.

2.The petitioner's father died on 21.03.1991 and his brother made an application for compassionate ground appointment, which was rejected on 28.08.1994. Thereafter, he also died. Hence, the petitioner herein made a representation on

26.05.2007 requesting for compassionate appointment, which came to be rejected by the third respondent herein on 06.06.2007. Subsequently, the petitioner made another representation on 13.03.2009, which also came to be rejected on 25.08.2009 by the second respondent. Challenging the said rejection order, the present Writ Petition came to be filed in the year 2010.

3. In the instant case, the petitioner's father died in the year 1991. The petitioner's brother made a representation and the same was rejected in the year 1994 and thereafter, the petitioner made two representations, which were rejected by the respondents. Taking into consideration the above facts, this Court is of the view that compassionate appointment is granted to the family of the deceased employee only to alleviate their sufferings from indigent circumstances. There is a time limit of three years to apply for the same, so that with the support of the salary, the family could survive. It is noted that from 1991-2009, for almost 18 years, the petitioner could survive without the support of the Board. Now, the petitioner is aged about 44 years and he has also crossed the upper age limit of 35 years to be appointed in Government Service. Hence, at this belated stage, on an application made after a period of 16 years, the compassionate ground appointment cannot be granted. The authority has rightly rejected the request. I do not find any valid reason to interfere with the same.

4. Accordingly, Writ Petition is dismissed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

hvk

To

1. The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai - 2.

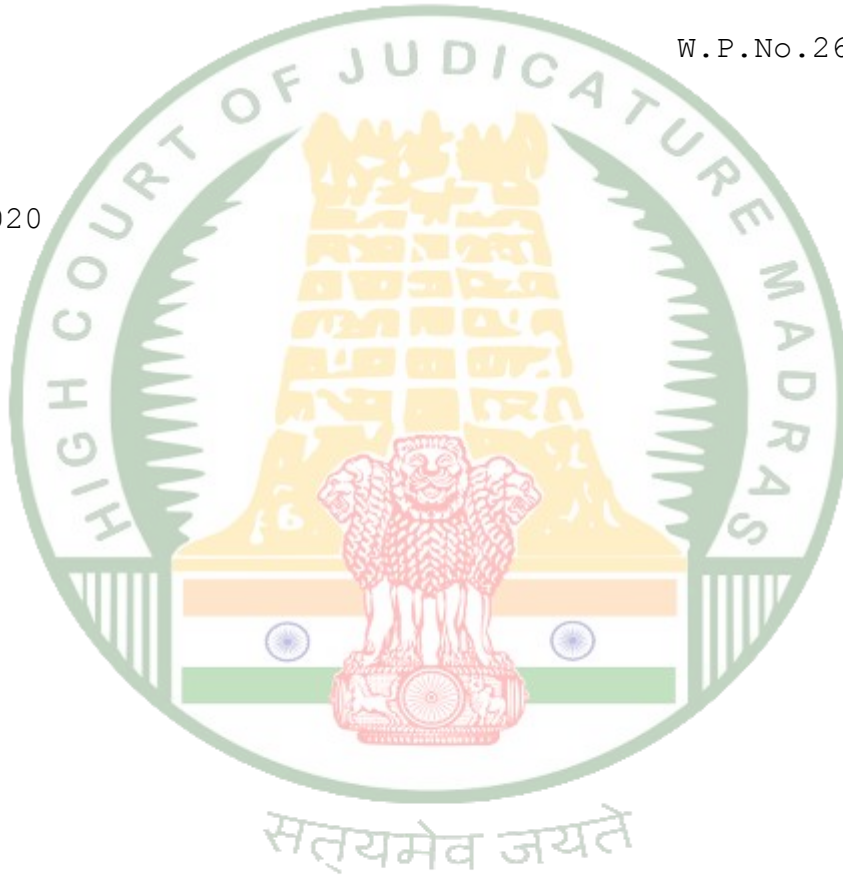
2.The Chief Engineer (Personnel),
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai - 2.

3.The Superintendent Engineer,
Pudugai Electricity Distribution Circle,
Pudukottai.

+1 cc to M/s.S.N.Ravichandran Advocate sr10921
+1 cc to M/s.M.Fakkir Mohideen Advocate sr11148

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