



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.15831 of 2014

T.Shanmugam

... Petitioner

-Vs-

1.The Tamil Nadu Generation and Distribution Corporation Ltd.,
Rep., by its Chairman,
No.144, Anna Salai,
Chennai 2.

2.The Chief Engineer/Establishment,
The Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai 2.

3.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
Meenakshinayakkanpatti, Dindigul 2.

... Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the third respondent in Letter No.009872/422/Ne Pe.1/Udavi.4/ko.va.ve/2014 dated 25.08.2014 culminated in rejecting the request of the petitioner for offer of employment on compassionate grounds and quash the same and issue directions to the respondents to consider petitioner's candidature and offer suitable employment under the first respondent on compassionate ground.

For Petitioner : Mr.S.Kadarkarai

For Respondents : Mr.T.Sakthikumaran
Standing Counsel

ORDER

The impugned order of the rejection dated 25.08.2014 was issued rejecting the claim of the writ petitioner for providing compassionate appointment on the ground that the writ petitioner has not passed the minimum educational qualification of 8th Standard.



2.The learned counsel for the petitioner solicited the attention of this Court that the petitioner had passed 8th Standard and the certificate enclosed at page No.17 of the typed set of papers, which filed along with writ petition, reveals that the writ petitioner passed 8th Standard on 02.03.2009 well before the date of the impugned order. The learned counsel for the petitioner states that the petitioner completed 8th Standard in the year 2009 itself, his case is to be reconsidered with reference to the terms and conditions stipulated in the scheme of compassionate appointment.

3.The Government issued comprehensive guidelines for providing appointment on compassionate ground in G.O.Ms.No.18, Labour and Employment Department, dated 23.01.2020. As per the said Government Order "the case of the writ petitioner is to be reconsidered". Accordingly, the impugned order passed by the third respondent in letter dated 25.08.2014 stands quashed and the respondents are directed to reconsider the case of the writ petitioner in the light of the Government Order issued in G.O.Ms.No.18, dated 23.01.2020, which is adopted by the respondent Electricity Board, within a period of twelve weeks from the date of receipt of a copy of this order.

4.With the above directions, the Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

+1 CC to M/s.S.KADARKARAI, Advocate (SR-24196[F] dated 07/12/2020)

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-24209[F] dated 07/12/2020)

W.P. (MD).No.15831 of 2014

04.12.2020

KUN (CO)

NR (18/12/2020) 2P : 3C