



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.10346 of 2021

WEB COPY

C.Palanisamy

... Petitioner

vs.

- 1.The Principal Secretary to Government of Tamil Nadu,
Department of Electricity,
Secretariat,
Chennai - 600 002.
 - 2.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Annasalai, Tamil Nadu Electricity Board,
Chennai.
 - 3.The Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Annasalai, Tamil Nadu Electricity Board,
Chennai.
 - 4.The Superintending Engineer,
Pudukkottai Electricity Distribution Circle,
Tamil Nadu Generation and Distribution Corporation Limited,
Pudukkottai.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records of the fourth respondent in Ka.No.00105/NiPi/Nimae.1/Vu.4/2020, dated 22.01.2020 and quash the same as illegal and arbitrary and in consequence thereof direct the respondents to provide employment to the petitioner on compassionate ground in the light of the orders passed by this Court in W.P(MD) No.22327 of 2016, dated 22.11.2016.

For Petitioner : Mr.P.Ganapathi Subramanian

For R - 1 : Mr.P.Subbaraj
Government Advocate

For RR 2 to 4 : Mr.T.Sakthi Kumaran

ORDER

The petitioner has filed the present Writ Petition, to quash the order passed by the fourth respondent, dated 22.01.2020 and to direct the respondents to provide employment to the petitioner on



compassionate ground, in the light of the orders passed by this Court in W.P(MD)No.22327 of 2016, dated 22.11.2016.

2.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 to 4.

3.The petitioner sought for compassionate appointment for the death of his father-Chokkalingam, who was working as Electric Line Inspector in the office of the fourth respondent and died while he was in service. The said request was rejected by the fourth respondent on the ground that the application for compassionate appointment will be considered only when the person possess 8th standard and above. Challenging the above said order, the petitioner has come out with the present Writ Petition.

4.When the matter is taken up for hearing today, Mr.T.Sakthi Kumaran, learned counsel appearing for the respondents 2 to 4 produced the proceedings of the Board in (per.) FB TANGEDCO Proceedings No.11, (Administrative Branch), dated 11.06.2020 and submitted that as per Clause 14(vi) of the said proceedings, a person possessing 4th standard and above will be considered for appointment for the post of Sweeper for the dependent of the deceased employee and submitted that the respondents 2 to 4 will consider the request of the petitioner for compassionate appointment for the post of Sweeper, as per the proceedings in (per.) FB TANGEDCO Proceedings No.11, (Administrative Branch), dated 11.06.2020.

5.Recording the above submissions of the learned counsel appearing for the respondents 2 to 4, the impugned order, dated 22.01.2020 passed by the fourth respondent is set aside and the matter is remanded back to the fourth respondent to consider the request of the petitioner for appointment on compassionate ground as per the proceedings in (per.) FB TANGEDCO Proceedings No.11, (Administrative Branch), dated 11.06.2020, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps



To

The Principal Secretary to Government of Tamil Nadu,
Department of Electricity,
Secretariat,
Chennai - 600 002.

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+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-22415[F]date 14/07/2021)

+1 CC to M/s.SPL GP (SR-22668[F] dated 15/07/2021)

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RD(4.08.2021) 3P 4C