

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.11736 of 2022

R.Athilaksmi

...Petitioner

vs.

1. The Chief Engineer (Personnel),
TANGEDCO/TNEB,
144, Anna Salai,
Chennai - 600 002.

2. The Superintending Engineer,
TANGEDCO/TNEB,
Kancheepuram Electricity Distribution
Circle,
Olimamuhamed Pettai,
Kancheepuram - 631 502.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to pass an order to the petitioner application dated 11.7.2020 for compassionate appointment as Sweeper in accordance G.O.(Ms).No.18, Labour and Employment Department dated 23.1.2020.

For Petitioner : Mr.A.S.Balaji

For Respondents: Mr.P.Subramanian
Standing Counsel

O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to pass an order on the petitioner's application dated 11.7.2020 for compassionate appointment as Sweeper in accordance with G.O.(Ms).No.18, Labour and Employment Department dated 23.01.2020.

2.According to the petitioner, the petitioner's husband was working as a contract labour in the respondents/Board and he died on 30.12.2014. Thereafter, the petitioner has submitted an

application dated 13.04.2017 before the 2nd respondent for compassionate appointment due to demise of her husband, while he was in service. By an order dated 27.05.2017, the 2nd respondent has rejected the said application on the ground that the petitioner did not possess minimum educational qualification of pass in VIII Standard. The said order has not been challenged. Now, the petitioner has filed the instant writ petition before this Court for the aforesaid prayer. In G.O.(Ms).No.18, Labour and Employment Department dated 23.01.2020, wherein it has been stated that if widow of deceased government servant is not educationally qualified for appointment she could be given like that of a Sweeper.

3. According to the petitioner, as per the said Government Order, the rejection order passed by the 2nd respondent is unsustainable and therefore, her application to be considered for appointment as a Sweeper under compassionate ground.

4. On perusal of the records revealed that the petitioner submitted an application dated 13.04.2017 before the 2nd respondent for compassionate appointment and the same was rejected by the 2nd respondent by an order dated 27.05.2017 for the reason that the petitioner did not possess minimum educational qualification. The said rejection order has not been challenged by the petitioner. Now, the petitioner has made another application dated 11.07.2020 before the 1st respondent seeking compassionate appointment.

5. It is further revealed that the 2nd respondent has already considered the petitioner's application for compassionate appointment and rejected the same. Therefore, this Court is not inclined to entertain the instant writ petition and the same is liable to be rejected.

6. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

dm

To

1. The Chief Engineer (Personnel),
TANGEDCO/TNEB,
144, Anna Salai, Chennai - 600 002.

2. The Superintending Engineer,
TANGEDCO/TNEB,
Kancheepuram Electricity Distribution Circle,
Olimamuhamed Pettai,
Kancheepuram - 631 502.

+1cc to A.S.Balaji, Advocate, S.R.No.32437

W.P.No.11736 of 2022

RR(CO)
RGA(14/07/2022)