



WP No.35409 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-11-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.35409 of 2016

R.Vijayakannan

..

Petitioner

VS.

1.The Chairman,
TANGEDCO,
No.144, Anna Salai,
Chennai.

2.The Chief Engineer (Personal),
TANGEDCO,
No.144, Anna Salai,
Chennai.

3.The Superintending Engineer,
TANGEDCO,
Salem.

..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner in a suitable post in the first respondent-



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Corporation on compassionate grounds.

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For Petitioner : No Appearance

For Respondents : Mr.P.Subramanian,
Standing Counsel for TANGEDCO.

O R D E R

The relief sought for in the present writ petition is to direct the respondents to appoint the petitioner in any suitable post in the first respondent-TANGEDCO on compassionate grounds.

2. The father of the writ petitioner was working as a Contract Labourer from the year 1995 in the third respondent-TANGEDCO and died on 10.09.2007, while he was in service. The mother of the writ petitioner submitted an application seeking appointment on compassionate ground on 11.09.2008 and the said application was not considered and thereafter, the petitioner, on attaining the age of majority, submitted another application, which was also not considered. Thus, the petitioner is constrained to move the present writ petition.



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3. The learned Standing Counsel, appearing on behalf of the respondents, made a submission that the petitioner submitted an application beyond the period of three years from the date of death of the deceased employee.

4. That apart, the father of the writ petitioner was a Contract Labourer and he was not a permanent employee of the respondent-TANGEDCO.

5. In view of the fact that the Scheme of Compassionate Appointment is to be extended only to the legal heirs of the permanent employees of the respondent-TANGEDCO, the father of the writ petitioner, who was working as a Contract Labourer at the time of his death, is not eligible to avail the benefit of the said Scheme. Thus the legal heirs of the deceased employee, are not eligible for appointment on compassionate grounds.



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6. Accordingly, the writ petition stands dismissed. However,

there shall be no order as to costs.

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Index : Yes/No.

Internet : Yes/No.

Speaking Order/Non-Speaking Order.

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To

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S.M.SUBRAMANIAM, J.

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