



WEB COPY

W.P.No.3633 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.3633 of 2017

S.Ajith

...Petitioner

Vs.

1. The Chairman,
The Tamil Nadu Generation and Distribution Corporation,
TANGEDCO, Anna Salai, Chennai-2.
2. The Chief Engineer (Personnel),
TANGEDCO, Anna Salai, Chennai-2.
3. The Superintending Engineer,
Kallakurichi Electricity Distribution Circle,
TANGEDCO, Kallakurichi,
Villupuram District.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Declaration, to declare the rejection of petitioner claim for compassionate appointment is illegal and consequently direct the respondents to consider the claim of the petitioner for suitable employment on compassionate grounds.



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For Petitioner : Mr.J.Agni Selvaraj
For Respondents : Mr.P.Subramanian

ORDER

The relief sought for in the present writ petition is to provide appointment on compassionate grounds to the writ petitioner.

2. The petitioner states that his father late Thiru.A.Subramanian joined service as a Contract Labour and was subsequently absorbed as a Mazdoor and died on 23.09.2010 while he was in service. There was a dispute in the family and the mother of the petitioner filed a Civil Suit in O.S.No. 39 of 2013 and the suit was decreed on 27.03.2014. Thereafter, the petitioner got the legal heir certificate and made an application to provide appointment on compassionate grounds on 05.08.2014. The said application was rejected on 08.09.2015 on the ground that the petitioner submitted an application beyond the period of 3 years from the date of the death of the deceased employee.

3. The learned counsel for the respondents brought to the notice of this Court that even at the time of filing of the application in the year 2014,



the petitioner was a minor, and therefore, the application was not considered as a minor is not eligible for appointment, and that apart, it was submitted beyond the period of three years from the date of the death of the deceased employee.

4. This Court is of the considered opinion that the employee died in the year 2010 and the application was made in the year 2014 and was rejected in the year 2015 itself. However, the petitioner is not eligible since the application itself was submitted when he was a minor and after a lapse of 3 years from the date of death of the employee. This being the reason, this Court is not inclined to consider the relief as such sought for in the present writ petition.

5. Accordingly, this writ petition stands dismissed. No costs.

30.09.2022

Index : Yes
Speaking order
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To

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S.M.SUBRAMANIAM, J.

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