



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 20.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.1522 of 2017
and
W.M.P.No.1429 of 2017

N.Revathi

...Petitioner

Vs

1. The Chairman and Managing Director,
TANGEDCO, Anna Salai,
Chennai - 600 002.
2. The Superintending Engineer,
Chengalpet Electricity Distribution,
TANGEDCO Circle,
Chengalpet.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in his letter No.07708/NP3/NASST.3/K.V.V/2016 dated 28.11.2016 in rejecting the petitioner's plea for a job in the 2nd respondent's office on compassionate grounds and quash the same and consequently issue directions to the respondents to appoint her in a suitable job in the respondent's work place.

For Petitioner	: Mr.Arun Pradeesh
For Respondents	: Mr.P.Subramanian, Standing Counsel

ORDER

The petitioner's father namely Thiru.E.Sekar, while working as a Wireman in Thiruninravur Section of Sriperumbudur Division, died on 29.10.2013. The petitioner is the second daughter of the deceased Wireman, whose claim for compassionate appointment was rejected through the proceedings of the second respondent dated 28.11.2016, on the ground that she is married and therefore not entitled to claim compassionate appointment. Challenging the rejection order, the present writ petition has been filed.



2. When the impugned rejection order was passed, there were no proceedings of the Board enabling them to offer appointment on compassionate grounds to a married daughter of a deceased workman. As such, the rejection order cannot be strictly found fault with. However, pursuant to the order of this Court passed in W.P.No.14341 of 2014 dated 17.04.2014, the Government had passed an order in G.O.Ms.78, Labour and Employment (Q.1) Department, dated 21.04.2017, for providing compassionate appointment for married daughters of the deceased employees. This Government Order came to be adopted by the respondents in their proceedings in F.B.B.P.No.12 dated 09.11.2017, holding that the married daughters of the deceased Board employees would be entitled for appointment on compassionate grounds.

3. In view of the present policy of the respondent/Board, the petitioner, though is the married daughter of the deceased employee, would be entitled for compassionate appointment. This aspect has also been reiterated by the respondents in their counter affidavit filed before this Court.

4. In the light of the above observations, the impugned order dated 28.11.2016 passed by the second respondent herein, is quashed. Consequently, there shall be a direction to the respondents herein to grant compassionate appointment to the petitioner as expeditiously as possible, in any event, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. The Writ Petition stands allowed, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

hvk

To

1. The Chairman and Managing Director,
TANGEDCO, Anna Salai,
Chennai - 600 002.



2. The Superintending Engineer,
Chengalpet Electricity Distribution,
TANGEDCO Circle,
Chengalpet.

WEB COPY

+1cc to Mr.P.Subramanian, Advocate, S.R.No.3643
+1cc to Mr.Arun Pradeesh, Advocate, S.R.No.4143

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and
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MT[co]
NSK 08/02/2022