



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.2140 of 2022

W.M.P(MD).No.1860 of 2022

WEB COPY

V.Kaladevi

... Petitioner

Vs.

- 1 Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO) (Formerly TNEB),
Rep. by its Chairman/Director,
144, Anna Salai, Chennai 2.
- 2 Tamil Nadu Generation and Distribution Corporation Limited,,
(TANGEDCO) (Formerly TNEB),
Rep. by its Chief Engineer,
144, Anna Salai, Chennai 2.
- 3 Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO) (Formerly TNEB),
Rep. by its Superintending Engineer,
District Electricity Distribution Circle,
Meenakshinayakampatti, Dindigul-2. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order in No.02919/096/Ni.Pi.2/Vu.1/Ko.Va.Ve/2018 dated 17.02.2018 and consequential impugned order No.013975/287/Ni.Pi.II/E Ni.Vu.1/Ko.Va.Ve/2021 dated 29.09.2021 on the file of the respondent No.3 and quash the same as illegal and consequently for a direction directing the respondents to provide compassionate appointment to the petitioner in the post of helper or any other suitable post within the time period stipulated by this Hon'ble Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.S.Arivalagan

O R D E R

The relief sought for in the present writ petition is to direct the first respondent to provide appointment to the petitioner on compassionate ground.

2. The husband of the petitioner who was working as Mazdoor, died in service on 18.07.2015. The petitioner submitted an

<https://hcservices.ecourts.gov.in/hcservices/>



application on 02.02.2018 seeking appointment on compassionate ground. During the relevant point of time, the case of the petitioner was not considered, in view of the fact that she did not possess the educational qualification of eighth standard. However, the revised scheme indicates that "in such circumstances, a candidate, who have the educational qualification of fourth standard and above, may be considered in any of the new post to be created". Therefore, the eligibility is to be granted only in respect of new post to be created. Whether the new post has been created or not is not made available before this Court. This apart, the petitioner has completed eighth standard beyond the period of three years. Therefore, it is to be construed that as on the date of application, the petitioner was not eligible as she has not completed. However, if any new post is created or if such posts are available for appointment in respect of the person, who do not possess the minimum educational qualification of eighth standard, then the case of the writ petitioner is to be considered. Thus, it is for the respondent to take a decision with reference to the post newly created wherein the minimum educational qualification of eighth standard has been prescribed and if the petitioner is otherwise eligible for the said post, in accordance with the scheme, the application is to be processed and considered.

3. With this clarification, the Writ Petition stands disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

To

- 1 The Chairman/Director,
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO) (Formerly TNEB),
144, Anna Salai,
Chennai 2.
- 2 The Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,,
(TANGEDCO) (Formerly TNEB),
144, Anna Salai,
Chennai 2.



3 The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO) (Formerly TNEB),
District Electricity Distribution Circle,
Meenakshinayakampatti, Dindigul-2.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-11134[F] dated
10/03/2022)

W.P.(MD) No.2140 of 2022

09.03.2022

MGJ(12.04.2022) 3P 5C