



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.25144 of 2019

Sobana Leela

... Petitioner

Vs.

1.The Chief Engineer (Personal),
Tamil Nadu Generation and Distribution,
Corporation Limited,
No.144, Anna Salai,
Chennai - 600 002.

2.The Chief Engineer (Distribution),
Tamil Nadu Generation and Distribution,
Corporation Limited,
Tirunelveli Region,
Tirunelveli.

3.The Superintendent Engineer (Distribution),
Tamil Nadu Generation and Distribution
Corporation Limited,
Tuticorin Electricity Distribution Circle,
Tuticorin.

4.The Assistant Executive Engineer (Distribution)
Tamil Nadu Generation and Distribution,
Corporation Limited,
Urban - South, Tuticorin,
Thoothukudi District.

5.The Assistant Engineer (Distribution),
Tamil Nadu Generation and Distribution,
Corporation Limited,
Muthaiyapuram,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the impugned proceedings of the 3rd respondent dated 26.02.2019 in Ku Aa No.04545/47/NeeAaa / Neepee2 / EeeNeeUoo / Ko.Vaa.Velai / 2019 issued by the 3rd respondent and direct the respondents to appoint the petitioner in any suitable post on compassionate grounds.



For Petitioner :Mr.P.Pethu Rajesh

For Respondents :Mr.S.Arivalagan

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O R D E R

The impugned order rejecting the claim of the writ petitioner for providing compassionate appointment in proceedings dated 26.02.2019, is under challenge in the present Writ Petition.

2. The mother of the writ petitioner was working as a Commercial Assistant and she died on 18.06.2015. The petitioner, who is the daughter of the employee, filed an application seeking appointment on compassionate grounds. The application was submitted well within the period of three years and thus it was entertained by the Authorities. While considering the application, the authorities found that the petitioner had crossed 35 years of age and therefore, as per the Board Regulations, she is over aged and accordingly, cannot be considered.

3. The learned counsel for the respondents submitted the copy of the Tamil Nadu Electricity Board Service Regulations, wherein, the age concession for appointment on compassionate grounds has been provided. As per the said Regulation, the maximum age limit shall be 35 years in respect of the sons or unmarried daughters and 50 years in respect of wife or husband of the Board employee, who died in harness while in service.

4. In the present case, the petitioner is a married daughter and living separately in her husband's house. In any event, the writ petitioner crossed the age of 35 years as on the date of consideration and therefore, she is not entitled for appointment on compassionate grounds, as per the Board Regulations. Thus, this Court do not find any infirmity in respect of the order impugned passed by the 3rd respondent and accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (DR-A/C)

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/ /2022

Sub Assistant Registrar(CS)



+1 CC to M/s.S.ARIVALAGAN, Advocate (SR-5794[F] dated 11/02/2022)

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