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W.P.No.19296 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.19296 of 2015

G.Vijayamrtha Raj

....

Petitioner

Vs

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

....

Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of Certiorarified Mandamus calling for the entire records pertaining to the proceedings in letter No.104085/678/G9/G92/2015-3 dated 05.05.2015 on the file of the respondent, quash the same and consequently direct the respondents to appoint the petitioner to any suitable post on compassionate grounds befitting to his educational qualification.

For Petitioner : No appearance



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ORDER

This Writ Petition has been filed challenging the proceedings dated 05.05.2015 in Letter No.104085/678/G9/G92/2015-3 passed by the respondent, thereby rejected the representation submitted by the petitioner to appoint him to any suitable post on compassionate ground.

2. There is no representation for the petitioner. Therefore, this Court is inclined to pass orders on merits.

3. The petitioner's father was employed in the office of the Superintending Engineer, Tamil Nadu Generation and Distribution Corporation Limited, Nilgiris Electricity Distribution Circle, Udthagamanadalam. During the course of his employment, he died, due to illness on 08.07.2004, leaving behind his wife, younger son and the petitioner as his legal heirs to succeed to his estate. The petitioner's mother submitted an application on 15.04.2005 before the Superintending Engineer, Tamil Nadu Generation and Distribution Corporation Limited, Nilgiris Electricity Distribution Circle, Udthagamandalam, seeking appointment on compassionate ground. At



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the time of making such application, the petitioner was qualified only VI Standard. Therefore, the application for compassionate appointment was rejected by a communication dated 31.07.2012.

4. The eligibility for appointment on compassionate ground is that the application should be filed within a period of three years from the date of death of the employee and the applicant should have completed 15 years of age and should have completed VIII Standard. Thereafter, his mother submitted another representation on 10.08.2011 for appointment on compassionate ground and the same was also rejected by a communication dated 31.07.2012. Challenging the said order of rejection, the petitioner filed writ petition before this Court in W.P.No.1110 of 2014 and he also filed an appeal as against the order of rejection before the respondent. This Court directed the respondent to dispose of the appeal and pass orders on merits and in accordance with law. The appeal preferred by the petitioner was dismissed by the respondent. Therefore, on two occasions, the petitioner and his mother made applications for compassionate appointment which were rejected.



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5. In view of the above, this Court finds no infirmity or illegality in the proceedings dated 05.05.2015 in Letter No.104085/678/G9/G92/2015-3 passed by the respondent. Thus the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

10.08.2023

Index:Yes/No
Internet:Yes/No
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To

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G.K.ILANTHIRAIYAN,J.



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