



WEB COPY



W.P.No. 1078 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 1078 of 2022

Tamilselvan

.....

Petitioner

Vs

1. The Chairman,
TANGEDCO,
144, Anna Salai,
Chennai – 2.

2. The Superintending Officer,
Electricity Distribution Circle,
TANGEDCO, Kallakurichi,
Kallakurichi District.

.....

Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records second respondent in Ka.No.3443/132/Se/Kedc/Kallai/Na/Np2/ Assist.5/Koo.Vaa.Va/2021 dated 10.02.2021 and Ka.No.541/191/Se/ Kedc/Kallai/Na/Np2/Assist.5/Koo.Vaa.Va/2021 dated 31.03.2021 and quash the same and consequently, direct the respondents to provide job assistance to the petitioner on compassionate ground.

For Petitioner : Mr.R.C.Ramesh

For Respondent : Mr.P.Subramanian
Standing Counsel



W.P.No. 1078 of 2022

WEB COPY

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent dated 10.02.2021 and 31.03.2021, thereby rejected the request made by the petitioner seeking appointment on compassionate ground.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner's father worked as a Field Assistant Officer under the Assistant Engineer, Tamil Nadu Electricity Board, Sankarapuram and died in harness on 19.12.2017. After the demise of his father, the petitioner's mother submitted a representation to the respondent seeking appointment on compassionate ground on 07.10.2020 for her minor son/petitioner. On receipt of the same, the second respondent communicated to his mother on 03.12.2020, thereby asking her to furnish relevant particulars and No Objection Certificates from other legal heirs. The said communication was duly complied with. However, the employment sought for on the compassionate ground was rejected on the ground that the application seeking compassionate appointment should be made within the period of three years. At the time of submitting application, the applicant should have completed 18 years



W.P.No. 1078 of 2022

and qualified with VIII Standard.

WEB COPY

4. Admittedly, the petitioner was a minor at the time of submitting the application on 07.10.2020. Though the application was made within the period of three years from the date of his father's demise, he was minor at the time of application seeking appointment on compassionate ground. Though the petitioner attained majority now, after a period of seven years, the application seeking appointment on compassionate ground cannot be considered, since the petitioner's family had been surviving for a period of seven years. In other words, the petitioner's family is not in a contingent condition. Therefore, this Court finds no infirmity or illegality in the orders passed by the second respondent.

5. Accordingly, this Writ Petition stands dismissed. No costs.

23.02.2024

Internet : Yes/No

Index:Yes/No

Speaking/Non Speaking Order

Neutral Citation : Yes/No

Lpp



WEB COPY

To

1. The Chairman,
TANGEDCO,
144, Anna Salai,
Chennai – 2.

2. The Superintending Officer,
Electricity Distribution Circle,
TANGEDCO, Kallakurichi,
Kallakurichi District.



W.P.No. 1078 of 2022

G.K.ILANTHIRAIYAN, J.

Lpp

W.P.No. 1078 of 2022

23.02.2024