



WEB COPY

W.P.No.25191 of 2010



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

THE HONOURABLE MR.JUSTICE **D. BHARATHA CHAKRAVARTHY**

W.P.No.25191 of 2010

Panchalai
Petitioner

...

-Vs-

1. The Chairman
Tamil Nadu Electricity Board,
Anna Salai, Chennai 600 002.
2. The Chief Engineer - Establishment (S.P)
144, Tamil Nadu Electricity Board,
Anna Salai, Chennai 600 002.
3. The Superintending Engineer,
Villupuram Electricity Distribution Circle,
Villupuram District.

...

Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent in Proceedings No.K.No.002785 (44)/NP.3(4)/Ko.Va.Ve/04 dated 15.02.2007 and the 2nd respondent in letter No.076374/476/G8/G81/2010-1 dated 02.09.2010 and quash the same and direct the respondents to consider the petitioner's application dated 31.07.1997 for seeking appointment on compassionate grounds immediately.

For Petitioner : No appearance

For Respondents : Mr.C.Subramanian



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ORDER

This writ petition has been filed to call for the records of the 3rd respondent in Proceedings No.K.No.002785 (44)/NP.3(4)/Ko.Va.Ve/04 dated 15.02.2007 and the 2nd respondent in letter No.076374/476/G8/G81/2010-1 dated 02.09.2010 and quash the same and direct the respondents to consider the petitioner's application dated 31.07.1997 for seeking appointment on compassionate grounds immediately.

2. The case of the petitioner is that her husband was employed as helper in the respondent board and he died while in service on 04.08.1996. The petitioner submitted an application for compassionate appointment on 31.07.1997 and the same was rejected by the respondent on 01.10.1997 stating that the petitioner has studied only up to 5th standard and since she does not possess the minimum general educational qualification of 8th standard which was applicable at that relevant point of time. However, without challenging the said order once again the petitioner made a representation, based on which by a communication dated 12.11.1999 once again the respondents directed the petitioner to submit an application in the given format. After directing the petitioner to submit a fresh application in the year 1999, the same has been



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rejected by the respondents on the ground that it is made after a period of three years. The petitioner therefore made subsequent representations after her daughter completed degree and prayed for compassionate appointment in her favour. The said application has been rejected by an order dated 20.09.2010 on the ground that such an application praying for compassionate appointment in favour of her daughter cannot be made after a period of three years.

3. As seen from the above that when the petitioner's husband died in the year 1996, the application was made praying for compassionate appointment in favour of her daughter in the year 2010 after she completed her degree in the year 2009. This issue of applying for compassionate appointment for minors after they attain the age of majority went beyond the period of three years after the death of the father has already been considered by this Court and has been settled that any application beyond the period of three years cannot be countenanced.

4. In view of the above facts and circumstances of the case, the petitioner is not entitled to the relief as prayed in the writ petition. Accordingly this writ petition stands dismissed. No costs.

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Index : Yes/No



Speaking order/Non-speaking order
dpq

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To

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D. BHARATHA CHAKRAVARTHY, J.

dpq

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