



W.P.No.7532 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.7532 of 2024

R.Sivaraman

... Petitioner

-Vs-

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai – 600 002.

2. The Chief Engineer, (Personnel),
TANGEDCO,
No.144, Annasalai,
Chennai – 600 002.

3. The Superintending Engineer,
TANGEDCO,
Kallakurichi Electricity Distribution Circle,
Kallakurichi.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order of rejection in Letter No. 0669/53/Me.Po/Ka.mi.pa.va/Kallai/ne.Aa/Ne.pi.2/Vu.5/Ko.Va.Va/2022 dated 18.04.2022 on the file of the third Respondent and direct the



W.P.No.7532 of 2024

respondents to consider and pass orders on the applications of the petitioner dated 26.02.2015 and the reminder dated 20.08.2016 and to appoint the petitioner in the suitable post on compassionate ground.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.K.Rajkumar
Standing Counsel

ORDER

This writ petition has been filed challenging the order dated 18.04.2022 passed by the third respondent, thereby rejected the request made by the petitioner seeking appointment on compassionate ground.

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

3. The petitioner's father was working as Line Inspector in the respondent Board and died on 05.11.2009 in a road accident, leaving behind his legal heirs including the petitioner, who is the son of first wife. The first wife of the deceased father pre-deceased him and thereafter, the petitioner's father got married with another woman as his second wife. The petitioner submitted an application before the third



W.P.No.7532 of 2024

WEB COPY

respondent seeking appointment on compassionate ground. However, the petitioner was directed to produce certain documents including the legal heirship certificate. Since the petitioner's mother was first wife and her name was not registered by his father, the petitioner filed an application before the concerned Court for issuance of death certificate. After obtaining death certificate, the petitioner preferred an application seeking appointment on compassionate ground on 26.02.2015. However, it was rejected by an order dated 12.03.2015, on the ground that the petitioner should have submitted an application within a period of three years from the date of his father's demise. Aggrieved by the same, the petitioner preferred an appeal before the first and second respondents. It was not considered and as such, the petitioner approached this Court in W.P.No.2572 of 2017 and this Court directed the appellate authority to dispose of the appeal, within a period of three months. Once again, it was rejected by the order impugned in this writ petition dated 18.04.2022 by the third respondent.



W.P.No.7532 of 2024

WEB COPY

4. The learned counsel for the petitioner would submit that though this Court specifically directed the first and second respondents to consider the appeal, once again the appeal was rejected by the third respondent. That apart, the petitioner submitted the application seeking appointment on compassionate ground, immediately after the demise of his father. However, it was returned for requirement of certain documents. Therefore, the petitioner approached the Civil Court and after obtaining the certificates, once again the petitioner submitted an application seeking appointment on compassionate ground.

5. A perusal of records revealed that the petitioner's father died on 05.11.2009. After a period of 15 years, it cannot be said that the petitioner's family is in indigent circumstances. That apart, only after the order passed by the appellate authority, viz., the second respondent, reference cited as third item in the impugned order, the third respondent issued an order dated 18.04.2022.



W.P.No.7532 of 2024

WEB COPY

6. Therefore, this Court finds no infirmity or illegality in the order passed by the third respondent and this writ petition is devoid of merits and is liable to be dismissed.

7. Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

19.03.2024

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
mn



WEB COPY



W.P.No.7532 of 2024

G.K.ILANTHIRAIYAN. J.

mn

To

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai – 600 002.
2. The Chief Engineer, (Personnel),
TANGEDCO,
No.144, Annasalai,
Chennai – 600 002.
3. The Superintending Engineer,
TANGEDCO,
Kallakurichi Electricity Distribution Circle,
Kallakurichi.

W.P.No.7532 of 2024

19.03.2024