



WEB COPY

W.P.No.15453 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2024

CORAM

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

W.P.No.15453 of 2024

R. Sathish Kumar

... Petitioner

-Vs-

1. The Chief Engineer/Personnel
TANGEDCO
No.144, Anna Salai,
Chennai 600 023.

2. The Superintending Engineer
Salem Generation and Distribution (TANGEDCO)
Kamarajar Nagar Colony Post
Salem 636 014.

3. The Executive Engineer
Operation & Maintenance (TANGEDCO)
Singapuram, Vazlapadi Taluk,
Salem District.

4. The Assistant Engineer
Operation & Maintenance (TANGEDCO)
Thumbal Post
Salem District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 2 to 4 to consider the applications dated 27.09.2021 and 20.04.2022 seeking



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Compassionate Appointment for the petitioner and appoint him in any suitable post as per the guidelines contained in the Board proceedings in (Per.) FB TANGEDCO Proceedings No.11 dated 11.06.2020 with the time frame fixed by this Court.

For Petitioner : Mr.S.Sathia Chandran

For Respondents : Mr.K.Raj Kumar

ORDER

This writ petition is filed for issuance of a Writ of Mandamus to direct the respondents 2 to 4 to consider the applications dated 27.09.2021 and 20.04.2022 seeking Compassionate Appointment for the petitioner and appoint him in any suitable post as per the guidelines contained in the Board proceedings in (Per.) FB TANGEDCO Proceedings No.11 dated 11.06.2020 with the time frame fixed by this Court.

2. The case of the petitioner is that the petitioner's father was a permanent employee of TANGEDCO and was working as Wireman under the 4th respondent and expired on 04.07.2021. Thereafter the petitioner's mother made a representation dated 27.09.2021 & 20.04.2022 to the 4th respondent for purpose of requesting compassionate appointment. Thereafter, petitioner's mother expired on 14.07.2022. Thereafter, petitioner made a representation



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dated 28.05.2024 to the respondents 2 to 4 requesting them to appoint him on compassionate appointment. Though the applications for compassionate appointment were made well within the period of three years, the same was not considered by the respondents till date and hence this writ petition.

3. Mr.K.Rajkumar, learned counsel who takes notice for the respondents submitted that since in this case there is a rival claim by the second family of the deceased employee namely P.Ramachandran, the matter is kept pending.

4. In reply thereof, the learned counsel appearing for the petitioner submitted that the Board Proceedings in (Per.) FB TANGEDCO Proceedings No.11 dated 11.06.2020 of the respondents are very clear as to how they have to consider for compassionate appointment even if there is such a rival claim.

5. Be that as it may, when an application for compassionate appointment is made within the time limit, it is for the respondents to consider the application on its own merits and in accordance with law, if necessary after providing opportunity to all the interested parties and pass orders as per their policy and guidelines. In view thereof, this writ petition is disposed of on the following terms:-



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(i) The respondents are directed to consider the applications of the petitioner dated 27.09.2021 and 20.04.2022 within a period of 12 weeks from the date of receipt of a copy of this order on its own merits and in accordance with law.

(ii) It is made clear that while considering the applications it would be open for the respondents to hear all concerned and pass orders taking into account their own rules and provisions. No costs.

13.06.2024

Neutral Citation; Yes/No
dpq



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D. BHARATHA CHAKRAVARTHY, J.

dpq

To

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