



W.P.No.24522 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE VIVEK KUMAR SINGH

W.P.No.24522 of 2022
and W.M.P.No.23479 of 2022

Bhuvaneshwari

...Petitioner

-Vs-

1.The Managing Director,
TANGEDCO,
No.144, Anna Salai, Chennai 600 002.

2.The Superintending Engineer,
TANGEDCO,
Villupuram Electricity Distribution Centre,
Villupuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in Letter No.073/Nir.1/U3/Ko Va Ve/2022 dated 30.07.2022 and quash the same as illegal, incompetent and without jurisdiction and further direct the respondents to appoint the petitioner in any suitable post commensurate with her qualification.

For Petitioner : M/s.V.Srimathi

For Respondents : Mr.P.Subramaniam



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ORDER

This writ petition is filed for quashment of the order of the 2nd respondent in Letter No.073/Nir.1/U3/Ko Va Ve/2022 dated 30.07.2022 and further, to direct the respondents to appoint the petitioner in any suitable post commensurate with her qualification.

2. Heard the learned counsel on both sides and perused the materials available on record.

3. The case of the petitioner is that her father namely, Subramaniam, was working as line inspector in the respondents Department and while in service, he died on 22.03.2017, leaving behind his wife and the petitioner, who is his daughter, as legal representatives. The mother of the petitioner had sought employment for her and she was informed that the petitioner was a minor and could try on attainment of majority. The petitioner after completing her studies on 02.07.2021 and renewed the request with the respondents. The petitioner has produced all the records as required by the respondents including No Objection Certificate from her mother and all the records were acknowledged by the Board. On 20.11.2021, the petitioner was informed by the second respondent



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that steps would be duly taken for consideration of her appointment on compassionate grounds. All of a sudden, the petitioner has received the impugned order dated 30.07.2022 without reference to the earlier proceeding dated 20.11.2021, stating that her claim was rejected on the ground of limitation. Aggrieved by the same, the petitioner has filed the present petition.

4. The learned counsel appearing for the petitioner submitted that after the demise of her father, the mother of the petitioner made a request before the respondents within the prescribed period of three years and the same was rejected on the ground that the petitioner is a minor. After attaining majority, the petitioner made a representation and the same was also rejected on the ground of limitation. Therefore, he prayed that the petitioner be appointed to any post on compassionate grounds.

5. The learned standing counsel appearing for the respondents submitted that the respondents had rejected the petitioner's claim on the ground that the petitioner had made a request for employment on compassionate grounds in place of her deceased father beyond the prescribed time limit. Hence, he prayed the writ petition be dismissed.



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6. In view of the submissions made and upon perusal of the materials available on record, this Court is inclined to direct the respondents to consider the petitioner's representation dated 30.07.2022 and pass appropriate orders in accordance with law within a period of two months from the date of receipt of a copy of this order. The delay in moving the claim for compassionate appointment is hereby condoned by this Court.

7. With the above observations and discussions, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

04.12.2024

Internet: Yes
Index : Yes/No
vkr

To

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VIVEK KUMAR SINGH. J,

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