



WP(MD). No.888 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 06.06.2024

CORAM

THE HON'BLE Ms.JUSTICE R.N.MANJULA

WP(MD) No.888 of 2022
and WMP(MD) No.725 of 2022

Gunaseelan

... Petitioner

Vs

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Anna Salai, Tamil Nadu Electricity Board,
Chennai 2.
2. The Chief Engineer / Personnel, Tamil Nadu Generation and
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Anna Salai, Tamil Nadu Electricity Board,
Chennai 2.
3. The Superintending Engineer,
Pudukkottai Electricity Distribution Circle,
Pudukkottai.

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in Ka.No.005518/Nipi/NiMae.1/Vu.4/Ko.Va.Velai/2021 dated 14.07.2021 and Ka.No.006537 / Nipi / NiMae.1/Vu.4/Ko.Va.Velai/2021, dated 30.09.2021 passed by the 3rd respondent and quash the same as illegal and arbitrary and in

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consequence thereof direct the respondents to provide appointment to the petitioner on compassionate grounds.

For Petitioner : Mr.P. Ganapathi Subramanian

For Respondents : Mr.B.Ramanathan
Additional Government Pleader

ORDER

Heard Mr.P.Ganapathi Subramanian, learned counsel for the petitioner and Mr.B.Ramanathan, learned counsel for the respondents.

2.This writ petition has been filed challenging the impugned order of the 3rd respondent and direct the respondents to provide appointment to the petitioner on compassionate grounds.

3. The petitioner's father, who was working as a helper in the electricity department, met with an accident and died on 01.09.2017. When the application was filed in time for compassionate appointment for the petitioner herein, who is the elder son, the petitioner was a minor. The said application was rejected for the reason that the petitioner was a minor at the time the application was filed.



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4. The learned counsel for the petitioner submitted that as per the regulation in the respondent guidelines for according appointment on compassionate grounds, there are rules to consider the age of the petitioner by giving necessary relaxation. At the time when the petitioner's father died, the petitioner mother was 36 years, with one son and one daughter, who were aged 15 and 13 years respectively.

5. It was not stated in the impugned order that the petitioner's family was not in penury at the time when the father died, but was comfortable enough to meet out their livelihood.

6. Since the respondents rejected the claim of the petitioner only on technicalities without appreciating the holistic grounds on which the compassionate appointment has to be considered, the writ petition is disposed of and the impugned orders of the third respondent 14.07.2021 and 30.09.2021 are set aside. The matter is remanded back to the respondents to reconsider the case of the petitioner afresh and pass orders by taking into consideration all other aspects including the possibility for



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according relaxation and the economical status of the petitioner's family.

Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently connected Miscellaneous Petition is closed.

03.06.2024

NCC : Yes/No

Index : Yes/No

RR

TO

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Anna Salai, Tamil Nadu Electricity Board,
Chennai 2.
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Pudukkottai.



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R.N.MANJULA, J.

RR

ORDER
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