



W.A(MD)No.1757 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

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1. The Managing Director,
Tamilnadu State Transport Corporation(Kum) Ltd.,
Kumbakonam, Thanjavur District.

2. The General Manager,
Tamilnadu State Transport Corporation(Kum) Ltd.,
Pudukottai Region, Pudukottai District.

... Appellants

VS.

Amirthavalli

... Respondent

Prayer : Appeal filed under Clause 15 of the Letters Patent, against the order dated 16.02.2021 in W.P(MD)No.21516 of 2016.

For Appellants : Mr.A.Kannan

For Respondent : Mr.V.Panneerselvam for Mr.A.Rahul

JUDGMENT

(Judgement of the Court was made by **R.SUBRAMANIAN, J.**)

The order under challenge is one directing the appellants Corporation to offer appointment to the respondent / writ petitioner on compassionate grounds.



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2. It is not in dispute that the husband of the respondent / writ petitioner served as a Conductor in the Corporation though on daily wage basis.

The learned Judge found from the records that the deceased employee had worked for more than 240 days and he is entitled to have been regularised as per the 12(3) settlement reached on 13.04.2015. The failure to regularise cannot be taken advantage of by the Corporation. Once it is found that the husband of the respondent has worked for 240 days and he is entitled to be regularised under the 12(3) settlement dated 13.04.2015, compassionate appointment cannot be refused on the ground that his services were not regularised.

3. We are unable to fault the Writ Court for having directed the appellants to offer job to the respondent / writ petitioner in the writ petition on compassionate grounds. We see no merit in the appeal. The Writ Appeal fails and it is accordingly dismissed. No costs.

(R.S.M, J.) (L.V.G, J.)
30.09.2024

Index : Yes / No
Neutral Citation : Yes / No
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and
L.VICTORIA GOWRI, J.

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JUDGMENT MADE IN
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