



W.P.(MD)No.25486 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.25486 of 2023

Jeya Devi

... Petitioner

vs.

The Superintend Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the respondent vide application No.Ka.No.006341/72/Me.Pa.Po/Thoo.Di/Ni.A/Ni.Pi-2/Ko.Va.Velai/2022, dated 27.05.2022, quash the same and illegal and consequently direct the respondent to appoint the petitioner in any one of the posts available in his Department on compassionate grounds.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.S.Arivalagan,
Standing Counsel



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ORDER

Heard Mr.V.Angusamy, learned counsel appearing for the petitioner and Mr.S.Arivalagan, learned Standing Counsel appearing for the respondent.

2. The petitioner has filed this writ petition seeking to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the respondent vide application No.Ka.No. 006341/72/Me.Pa.Po/Thoo.Di/Ni.A/Ni.Pi-2/Ko.Va.Velai/2022, dated 27.05.2022, quash the same and illegal and consequently direct the respondent to appoint her in any one of the posts available in his Department on compassionate grounds.

3. The petitioner's father by name Karuppaiya who worked as a Power Man in the respondent Department died on 06.01.2003 while in service. Subsequently, the petitioner has made an application to the respondents on 21.03.2022 seeking appointment on compassionate grounds. However, the same was rejected stating that she had not filed



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the application within a period of three years from the date of death of her father.

4. Mr.V.Angusamy, learned counsel appearing for the petitioner submitted that the petitioner was a minor at the time when her father died and other legal heirs of the petitioner's father had agreed to relinquish their rights to give appointment to the minor daughter and hence, the petitioner waited till she attained majority and submitted an application after attaining majority.

5. The Scheme of Compassionate Appointment would only contemplate an application from an eligible person who is a major at the time when the employee died. In the instant case, it seems that except the petitioner, other children of the deceased namely two sons and one daughter were eligible legal heirs who were above 18 years. But, for the reasons best known to them, they did not opt to file any application seeking appointment on compassionate grounds. It is understandable if the petitioner alone was the legal heir of her father and she did not had the



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required age eligibility at the time when her father died. When other eligible legal heirs did not seek appointment on compassionate grounds, the petitioner cannot be considered for appointment under the Scheme on her application filed after attaining majority. The respondent is right in rejecting the application of the petitioner and hence I find no reason to interfere with the impugned order.

6. In view of the above state reasons, the writ petition is **dismissed**. No costs.

10.06.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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R.N.MANJULA, J.

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