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W.P.No.1518 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.1518 of 2025

Tmt Umadevi

...Petitioner

Vs

1. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO) No.144, Anna Salai,
Chennai 600 002.

2. The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO) No.144, Anna Salai,
Chennai 600 002.

3. The Superintending Engineer,
Thirupathur Electricity Distribution Circle,
Thirupathur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 & 2 to provide Suitable Appointment to the petitioner's son, namely, Mr.R.Mythileeswaran, on account of demise of Petitioner's Husband on 15.11.2017 in a fatal road accident, by favorably considering the Appeal



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preferred by the petitioner, to the first and the second respondents dated 29.02.2024, sent by Registered Post on 04.03.2024, within a time frame fixed by this Court and pass orders.

For Petitioner : Mr. S.N. Ravichandran

For Respondent : Mr. C. Manoharan, Standing counsel
TANGEDCO

ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the Respondents 1 & 2 to provide Suitable Appointment to the petitioner's son, namely, Mr.R.Mythileeswaran, on account of demise of Petitioner's Husband on 15.11.2017 in a fatal road accident, by favorably considering the Appeal preferred by the petitioner, to the first and the second respondents dated 29.02.2024, sent by Registered Post on 04.03.2024, within a time frame fixed by this Court and pass orders.



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3. The facts of the case is that the husband of the petitioner worked as Foremen in the Respondent/Corporation and passed away during the year 2017. Hence, the petitioner made an application to the 3rd Respondent/Corporation seeking appointment to her son on compassionate grounds and the same was rejected due to the reason that the candidate has not attained majority. After attaining majority another application was made to the third respondent on 18.05.2023 and the same was also rejected due to the reason that there was a lapse of 6 years from the date of demise of the petitioner's husband. However, another application was presented clarifying the fact that there was no lapse on the part of the petitioner and they have made an application well within the time limit, but due to the fact that the petitioner's son had attained majority, the process was delayed. Hence, the petitioner's son preferred appeal before the first and second respondents on 29.02.2024 and the same is still pending. Hence, this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondent to consider the petitioner's representation and pass orders.



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5. The learned standing counsel appearing for the respondents submitted that the representation of the petitioner will be considered on merits and in accordance with law.

6. Heard both sides and perused the materials available on record.

7. On a perusal of records it is seen that this Court while dealing with the identical facts of the case in W.A.No.1444 of 2024 by order dated 03.07.2024 has held that compassionate ground appointment cannot be denied on the ground of laches.

8. Considering the facts and circumstances of the case and the Judgement passed by this Court in an identical facts of the case, this Court directs the second respondents to dispose of the appeal filed by the petitioner's son and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



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9. With the above observations this writ petition stands disposed of. No order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order
smn

To.

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V.BHAVANI SUBBAROYAN,J.

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