



WEB COPY



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 4045 of 2025

And

W.M.P.No. 4543 of 2024

A.V.M.Santhiya

... Petitioner

..Vs..

1. Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO)
Rep. By its Chairman/Managing Director
NPKRR Maaligai (TNEB Office)
No.144, Anna Salai,
Chennai – 600 002.
2. Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO)
Rep. By its Chief Engineer/Personnel
Eastern Wing, 8th Floor, NPKRR Maaligai,
No.144, Anna Salai,
Chennai – 600 002.
3. Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO)
Rep. By its Superintending Engineer
Electricity Distribution Circle,
Namakkal – 637 001.

...Respondents

PRAYER: Petition under Article 226 of the Constitution of India,



praying for the issue of a Writ of Certiorarified Mandamus to call for the entire records connected with the impugned order passed by the third respondent in Ka.No.010743/322/NiNi2/Uthavi.2/KO.Va.Ve/2023 dated 26.09.2023 and quash the same and consequently direct the respondents to appoint the petitioner for any of the eligible post on compassionate grounds within the time limit stipulated by this Hon'ble Court.

For Petitioner :: Mr. V.Ponnuappa Bharathi

For Respondents :: Mr. K.Purushothaman

ORDER

The Writ Petition has been filed in the nature of Certiorarified Mandamus seeking records relating to an order dated 26.09.2023 passed by the third respondent and quash the same and direct the respondents to appoint the petitioner in any eligible post on compassionate grounds.

2. The father of the petitioner P.Mani was working under the respondents/TANGEDCO and unfortunately died while in service on 07.06.2021. The petitioner, as his daughter had given a representation on 31.08.2023 within three years from the date of death of her father seeking employment in TANGEDCO on



compassionate grounds. She had not crossed 18 years of age on that date. This particular representation was considered and in the impugned order it had been stated that the grounds for grant of employment and that the representation must be given within three years from the date of death of the employee and the person for whom such job is sought should have completed 18 years of age. The request of the petitioner was rejected on the ground that she had not completed 18 years of age. This was by communication dated 26.09.2023 which is impugned in this Writ Petition.

3. The learned Standing Counsel for the respondents stated that there is yet another qualification which is required namely that the person for whom employment sought should have passed 8th standard. As on date, the petitioner had completed the age of 18 years and there is no dispute that she has the requisite educational qualification for herself to be employed under the respondents. There is yet another factor which is pointed out by the learned Standing Counsel and that is the certificate of the Tahsildar that the family members of the petitioner are not in indigent circumstances and they have sufficient income.



WEB COPY

4. The respondents had rejected the request of the petitioner only on the ground that she had not completed 18 years of age on the date when they have considered her representation. That particular ground no longer holds.

5. A direction is issued to the respondents, particularly, the second respondent to consider the educational qualification of the petitioner and all other surrounding circumstances. The petitioner, as daughter of an employee of the respondents has a legitimate expectation to be offered employment on compassionate grounds. The mere fact that the family has a house may not be a ground for rejection of the request of the petitioner herein. The petitioner has a life to move forward.

6. The impugned order is set aside and the issue is remitted back to the second respondent for fresh consideration in accordance with the guidelines surrounding grant of compassionate employment to the children of employees, who die while in service. The Writ Petition stands allowed. Consequently, connected Civil Miscellaneous Petition stands closed. No order as to costs.



WEB COPY

7. The second respondent is directed to follow the due procedure while again considering the representation of the petitioner and if any clarification is required, they must issue a notice to the petitioner and given her an opportunity of being heard and thereafter pass a fresh order. The fresh order shall be passed within a period of three months from the date of receipt of a copy of this order.

10.02.2025

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

1. The Chairman/Managing Director
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
NPKRR Maaligai (TNEB Office)
No.144, Anna Salai,
Chennai – 600 002.
2. The Chief Engineer/Personnel
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Eastern Wing, 8th Floor, NPKRR Maaligai,
No.144, Anna Salai,
Chennai – 600 002.
3. The Superintending Engineer
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)



WEB COPY

6

Electricity Distribution Circle,
Namakkal – 637 001.



C.V.KARTHIKEYAN, J.,

vsg

W.P.No. 4045 of 2025
And
W.M.P.No. 4543 of 2024



WEB COPY

7



10.02.2025