



WEB COPY

WP NO. 8448 of 2021
IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.02.2025

CORAM

THE HONOURABLE MRS JUSTICE N. MALA

WP NO.8448 of 2021

and WMP.No.9000 of 2021

Karthikeyan

... Petitioner

Vs.

1.The Chairman,
Generation & Distribution
(TANGEDCO),
Chennai – 600 002.

Tamil Nadu
Corporation
No.144, Anna Salai,

2.The Chief Engineer (Personnel),
Nadu Generation & Distribution
(TANGEDCO),
Chennai – 600 002.

Tamil
Corporation
No.144, Anna Salai,

3.The Superintending Enigneer (P & A),
Nadu Generation & Distribution
(TANGEDCO),
Distribution Circle, Dharmapuri – 5.

Tamil
Corporation
Dharmapuri

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, please to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned letter of the third respondent dated 03.08.2020 in Lr.No.202/132/Ni.Pi2/U.1/Ko.Va.Ve/2020 quash the same and consequently direct the respondents to consider petitioner's request to provide the petitioner suitable employment on compassionate grounds.



For Petitioner(s):

M/s.P.V.Muralidhar

For Respondent(s):

Mr.C.Manohar, Standing Counsel

* * * * *

ORDER

This Writ Petition is filed to call for the records relating to the impugned letter of the third respondent dated 03.08.2020 in Lr.No.202/132/Ni.Pi2/U.1/Ko.Va.Ve/2020 quash the same and consequently direct the respondents to consider petitioner's request to provide the petitioner suitable employment on compassionate grounds.

2.Petitioner's unmarried sister who was working with the respondents died in harness on 14.08.2019. The Department of Labour issued guidelines for compassionate appointments. On 27.06.2020 and 01.07.2020, the petitioner sent representations to the respondent to consider him for compassionate appointment. The respondents on 03.08.2020, rejected the petitioner's representation for compassionate appointment on the ground that the petitioner was not the legal heir of the deceased Government Employee. Aggrieved by the rejection order, the petitioner has filed the above writ petition for the aforesaid relief.



3. The learned counsel for the petitioner submitted that during the pendency of the writ petition, the petitioner was issued with a legal heirship certificate on 12.05.2024, by the Taluk Office, Dharmapuri. The learned counsel for the petitioner further submitted that when the impugned order was passed, legal heirship certificate was not issued but now the petitioner is issued with the legal heirship certificate, hence an opportunity may be given to the petitioner and appropriate directions may be issued to the respondents to consider the same and pass orders on merits and in accordance with law.

4. I have heard both the learned counsels and I have perused the materials on record.

5. A bare reading of the impugned order shows that the only reason cited for rejecting the petitioner's representation for compassionate appointment, was that the petitioner's name was not reflected in the legal heirship certificate. The petitioner has produced the legal heirship certificate dated 12.05.2024, issued by the Tahsildar, Dharmapuri, wherein the petitioner is shown as one of the legal heirs of the deceased employee. Under the circumstances, I deem it appropriate to direct the petitioner to submit a fresh representation along with the legal heirship certificate dated 12.05.2024, to the respondents, within a period of



two weeks from the date of receipt of a copy of this order. Thereafter, on receipt of the fresh representation along with legal heirship certificate, the respondents shall consider the same on merits and in accordance with law, and pass orders within a period of four weeks. It is made clear that the application shall be considered, without reference to limitation, as the earlier applications of the petitioner were filed in time.

6. Accordingly, this writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

18.02.2025

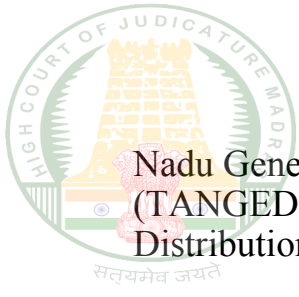
Speaking Order/Non-speaking order
Index : Yes/No
Internet : Yes/No
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To

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Chennai – 600 002.

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N.MALA, J.,
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