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W.P.No.16665 of 20253

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.P.No.16665 of 2025

K.Sri Sowdeshwarar

... Petitioner

Vs.

The Superintendent Engineer
Tamilnadu Generation and Distribution
Corporation Ltd.,
Thirupathur Distribution Circle
Thirupathur.

... Respondent

Prayer: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent, pursuant to his impugned order in க.எண்.286/நி.பி2 /நிஉ.3 / கோ.க.வா.வே/2024 நாள் 01.08.2024 and quash the same as unconstitutional, illegal and unlawful and direct the respondent to provide employment to the petitioner under compassionate ground more particularly within a time frame as may be stipulated by this Court.

For Petitioner : Mr.J.Pooventherarajan

For Respondent : Mr.C.Manoharan
Standing Counsel

ORDER



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This Writ Petition is filed to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent, pursuant to his impugned order in क.ए.ए.286/न.पि.2 /न.उ.3 / को.क.वा.वे/2024 न.ग. 01.08.2024 and quash the same as unconstitutional, illegal and unlawful and direct the respondent to provide employment to the petitioner under compassionate ground more particularly, within a time frame as may be stipulated by this Court.

2. The learned counsel for the petitioner would submit that the petitioner's father worked in the respondent Corporation as Line Inspector and while he was in service, he died on 24.05.2017. Immediately after the death of the petitioner's father, his mother gave a representation to the respondent on 15.07.2018, seeking for compassionate appointment to the petitioner. However, the said request was rejected on 01.08.2024 citing a reason that on the date of submission of the application, the petitioner has not attained majority. The learned counsel for the petitioner would fairly submit that the petitioner had attained majority in July 2023.



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3. The learned Standing Counsel for the respondent

would submit that the appointment of compassionate ground is an exception to the rule of equality in the matter of public employment and would further submit that according to the guidelines of the respondent, the petitioner is not entitled to be appointed under the compassionate ground.

4. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent and perused the materials available on record.

5. It is a well settled law that compassionate appointment is exception to Article 14 of the Constitution of India in the public employment. Therefore, whenever any exception is given in a public employment, the same has to be strictly followed in tune with the guidelines issued by the authorities concerned. In the case on hand, according to the guidelines, the legal heirs of the deceased employee must have attained majority within a period of three years from the date of death of the deceased employee. However, in the instant case, the petitioner attained



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majority after the period of six years from the date of death of his father.

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6. In such view of the matter, there is no infirmity in the impugned order dated 01.08.2024 passed by the respondent.

7. Accordingly, this Writ Petition stands dismissed. No costs.

19.06.2025

Index: Yes/No
Internet: Yes/No
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To:

The Superintendent Engineer
Tamilnadu Generation and Distribution
Corporation Ltd.,
Thirupathur Distribution Circle
Thirupathur.

C.KUMARAPPAN,J.,
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