



WEB COPY

WP No. 8273 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 8273 of 2024

K.Ulaganathan
S/o.Late Kumar, No.1065/5 Serpakkam Joint
Road, Vadugasathu Village, Aranai Taluk,
Thiruvannamalai District, Pin- 632 316.

..Petitioner(s)

Vs

1. The Chairman Cum Managing Director
TANGEDCO, (T.N.E.B) 144, Anna Salai,
Chennai-600 002.
2. The Chief Engineer (personnel)
TANGEDCO, (T.N.E.B) 144, Anna Salai,
Chennai-600 002.
3. The Superintending Engineer
TANGEDCO, (T.N.E.B) Tiruvannamalai
Electricity Distribution Circle, Tiruvannamalai
District.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd Respondent namely the Superintending Engineer TANGEDCO, (T.N.E.B) Tiruvannamalai Electricity Distribution Circle, Tiruvannamalai District made in KA Number 019/ NI.A/ NI.MAE /NI.U.4/ KO.NEE.MA.VA.2023 Dated 02.09.2023 and quash the same and direct the 3rd Respondent to pass appropriate orders appointing the petitioner in an appropriate post considering the petitioner's educational qualification on compassionate grounds within the time stipulated by this Court.



For Petitioner(s): Mr.S.Elamurugan

For Respondent(s): Mr.C.Manoharan

ORDER

This Writ Petition filed seeking quashment of the impugned proceedings of the third respondent and direct the 3rd Respondent to pass appropriate orders appointing the petitioner in an appropriate post considering the petitioner's educational qualification on compassionate grounds.

2. Mr.C.Manoharan, learned counsel takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.1 The petitioner's mother was initially appointed as a part-time sweeper in the office of the third respondent on 01.03.1998. Subsequently, by proceedings dated 29.09.2011, her services were regularised and time scale of pay was granted with effect from 04.04.2003, thereby treating her as a permanent employee.



3.2 While in service, she died in harness on 27.05.2014. The petitioner, who had completed 10th Standard and ITI, applied for compassionate appointment on 24.11.2015. Despite earlier directions issued by this Court in W.P.No.19275 of 2016 and W.P.No.27940 of 2018, no orders were passed. Ultimately, the third respondent by impugned order dated 02.09.2023 rejected the petitioner's request stating that the petitioner's mother was only a part-time employee. Challenging the same, the present writ petition has been filed.

4.1 The learned counsel for the petitioner submitted that the reason assigned in the impugned order is factually incorrect. Though the petitioner's mother was initially appointed as a part-time sweeper, her services were regularised and time scale of pay was granted with effect from 04.04.2003 by proceedings dated 29.09.2011, thereby making her a permanent employee. Therefore, the rejection of the petitioner's request on the ground that the petitioner's mother was only a part-time employee is contrary to the official records of the respondents themselves. The learned counsel further submitted that the respondents have repeatedly taken the stand that clarification from the Government is required, whereas the respondent Board is a statutory authority governed by its own regulations and the Government has no role in considering appointment on compassionate grounds.



4.2 It was also submitted that despite earlier orders passed by this Court, the respondents had not taken any decision for several years and have ultimately rejected the petitioner's request only with a view to defeat his legitimate claim.

Hence, the learned counsel prayed that the impugned order be set aside and the respondents be directed to consider the petitioner's request for compassionate appointment.

5. The learned counsel appearing for the respondents would submit that, as per B.P.No.3 dated 12.02.2025, compassionate appointment is permissible only to the legal heirs of an employee who is a full member of service. In the present case, the deceased employee was only a part – time worker and not a regular employee. It is further submitted that B.P.No.11 dated 11.06.2020, adopting the guidelines issued in G.O.(Ms).No.18, Labour and Employment Department dated 23.01.2020, specifically prohibits compassionate appointment to the legal heirs of persons appointed on temporary basis, consolidated pay, daily wages, contract appointments, and part – time conservancy workers whose services were not regularized. Therefore, it is submitted that the petitioner is not eligible for compassionate appointment, since such appointment is only a concession and not a matter of right, and is governed by the applicable rules.

6. This Court has considered the submissions made on either side and perused the materials placed on record.



7. It is not in dispute that the petitioner's mother initially entered service as a part-time sweeper on 01.03.1998. However, the proceedings of the third respondent dated 29.09.2011 clearly indicate that her services were regularised and time scale of pay was granted with effect from 04.04.2003. Therefore, the finding in the impugned order that the petitioner's mother was only a part-time employee cannot be sustained in view of the said proceedings. In such circumstances, the impugned order dated 02.09.2023 is liable to be set aside and the matter requires fresh consideration.

8. Accordingly, the impugned order is set aside and the matter is remitted to the third respondent to reconsider the petitioner's request for compassionate appointment on merits and in accordance with law and pass appropriate orders within a period of four (4) weeks from the date of receipt of a copy of this order.

9. With the above direction, this Writ Petition stands allowed.

22-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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M.DHANDAPANI, J.

ANU

To

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