



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 26654 of 2021

1. S.Thulasimani
2. S.Ramesh

..Petitioners

Vs

1. Tamil Nadu Generation and Distribution Corporation Ltd.,
Represented by its Chairman,
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai-600 002.
3. The Superintending Engineer,
Erode Electricity Distribution Circle,
TANGEDCO, Erode.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders Ka.No.009231/666/NiPi 2(1)/2015 dated 09.06.2015, Ka.No.009231/666/NiPi 2(1)/2015-4 dt.05.07.2017 and Ka.Na.No.009231/ 666/ NiPi 2(1) / 2015-5 dt.25.10.2018 passed by 3rd respondent rejecting petitioner request for compassionate appointment and quash the same and consequently direct respondents to provide forthwith compassionate appointment either to petitioner or to petitioner's son, 2nd petitioner herein.



For Petitioner : Mr.Manish Kumar
for M/S. R.Krishnaswamy

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For Respondents : Mr.C.Ramkumar
Standing Counsel
for R1 to R3

ORDER

The present writ petition is filed challenging orders dated 09.06.2015, 05.07.2017 and 25.10.2018, whereby petitioner's request for appointment on compassionate grounds was rejected for herself as well as for her son.

2. Brief facts:

2.1. Petitioner's husband died in harness, after having been permanently observed as a regular Mazdoor on 13.07.2012. Petitioner's husband died at the age of 36 years. Petitioner had two young sons to take care of, aged about 13 and 11 years respectively. Petitioner had applied for compassionate appointment on 19.01.2015, which is within three years from the date of death of her husband and the same was rejected by third respondent vide impugned order dated 09.06.2015 on the premise that petitioner has not completed VIII standard.

2.2. Petitioner, thereafter, made an application on 27.06.2017, wherein, it was stated that she had cleared VIII Standard. Petitioner also simultaneously



submitted another application on 05.01.2017 seeking appointment on compassionate grounds for her elder son, second petitioner herein. However, third respondent again rejected petitioner's request for compassionate appointment vide impugned order dated 05.07.2017 on the premise that petitioner had not passed VIII Standard within three years from the date of death of her husband and application seeking compassionate appointment for second petitioner was rejected vide order dated 25.10.2018 on the premise that application was not made within three years from the date of death of petitioner's husband. The present writ petition is filed challenging all the above three orders.

3. Learned counsel for petitioner would submit that petitioner would not press the challenge to the first impugned order dated 09.06.2015 nor the order rejecting request for compassionate appointment of petitioner's son vide order dated 25.10.2018 and would confine her challenge only to the order dated 05.07.2017, wherein it has been stated that petitioner had not completed VIII Standard, within three years from the date of death of her husband. Learned counsel would place reliance upon Tamil Nadu Electricity Board Service Regulations, which would show that for being appointed to the post of Gardner, Watchman, Sweeper and Sanitary Worker, the qualification is only *ability to read and write Tamil* and it was further clarified vide note file, which reads as under:



1	2	3
Watchman		Ability to read and write
Gardener		Tamil
Sweeper		-do-
Sanitary Worker		-do-

4. Learned Standing Counsel for respondents would submit that petitioner is now about 50 years and therefore, may not be entitled.

5. Learned counsel for petitioner would submit that the above argument may not stand scrutiny inasmuch as the Board Standing Orders would only require the age limit to be reckoned on the date of application as could be seen from the following extract:

“7. Age limit-(1) Notwithstanding anything contained in these regulations governing the post for which appointment on compassionate grounds is to be made on the date of application for appointment.

(a) the spouse of the deceased or medically invalidated employee or the parent of the deceased employee, must not have completed fifty years of age; and

b) the son, daughter, brother or sister of the deceased or medically invalidated employee must not have completed forty years of age.”



6. In that view of the matter, the impugned order dated 05.07.2017 is set aside. Respondents 1 to 3 shall re-consider petitioner's request for appointment on compassionate grounds, in accordance with law, and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, writ petition stands disposed of. No costs.

08-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MRN

To

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai, Chennai - 600 002.
2. The Chief Engineer (Personnel)
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai-600 002.
3. The Superintending Engineer,
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MOHAMMED SHAFFIQ, J.

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