

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

WP(C).No. 20690 of 2014 (I)

PETITIONER:

**NIKHILA SASIDHARAN, AGED 26 YEARS
D/O LATE SASIDHARAN, "THIRUVATHIRA", TC 59/C399
VENGANOOR, VENGANOOR P.O, 695 523**

**BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.PRATHAP PILLAI
SRI.BENOJ C AUGUSTIN
SRI.VISHNU BHUVANENDRAN**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT
DEPARTMENT OF CO-OPERATION, GOVERNMENT OF KERALA
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695001**
- 2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
THIRUVANANTHAPURAM 695001**
- 3. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G),
THIRUVANANTHAPURAM - 695 001**
- 4. THE DISTRICT CO-OPERATIVE BANK,
THIRUVANANTHAPURAM
OFFICE OF THE DISTRICT CO-OPERATIVE BANK, FORT
THIRUVANANTHAPURAM 695001
REPRESENTED BY ITS MANAGING DIRECTOR**

**R1 TO R3 BY GOVERNMENT PLEADER SRI. T.R. RAJESH
R4 BY ADV.SRI.T.R.HARIKUMAR, SC, THIRUVANANTHAPURAM
DIST.CO.OP.BANK**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 20690 of 2014 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE DEATH CERTIFICATE OF THE PETITIONER'S BROTHER**
- EXHIBIT P2 TRUE COPY OF THE RATION CARD OF THE PETITIONER'S FAMILY**
- EXHIBIT P3 TRUE COPY OF THE CERTIFICATE ISSUED BY THE VILLAGE OFFICER DATED 24.07.2013**
- EXHIBIT P4 TRUE COPY OF THE CERTIFICATE ISSUED BY THE VILLAGE OFFICER DATED 17.01.2014**
- EXHIBIT P5 TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER DATED 17.07.2013 FOR EMPLOYMENT UNDER THE DYING-IN-HARNESS SCHEME UNDER RULE 188A OF THE KERALA CO-OPERATIVE SOCIETIES RULES**
- EXHIBIT P6 TRUE COPY OF THE FORM B SIGNED BY THE WIFE AND MOTHER OF THE DECEASED NIKHIL**
- EXHIBIT P7 TRUE COPY OF THE COMMUNICATION DATED 07.12.2013 ISSUED ON BEHALF OF THE 2ND RESPONDENT TO THE 3RD RESPONDENT.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 20690 OF 2014

Dated this the 04th day of February, 2015

JUDGMENT

The delay in applying for compassionate employment by the petitioner in the fourth respondent bank is only 14 days. The petitioner has explained the delay by stating that time was consumed for obtaining the No Objection Certificate from her mother and sister-in-law. The delay is negligible and the first respondent can as well exempt the fourth respondent bank from the rigour of Rule 188A(b) of the Kerala Co-operative Societies Rules.

2. I permit the fourth respondent bank to move the first respondent under Rule 181 of the Kerala Co-operative Societies Rules and to obtain exemption for the purpose of appointment of the petitioner on compassionate grounds. Any motion made in that regard within one month from today shall be dealt with by the first respondent within two months therefrom.

3. It is open to the fourth respondent bank to appoint the petitioner in the vacancy applied for after obtaining

exemption from the first respondent. Needless to say that the third respondent Joint Registrar shall accord approval for such appointment on compassionate grounds in view of the death of the brother of the petitioner in service.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS