

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.19235 of 2015
and
M.P.Nos.1 & 2 of 2015

M.Rama

...Petitioner

vs.

1.The Chairman cum Managing Director,
Central Co-operative Bank Ltd.,
Villupuram,
Villupuram District.

2.The General Manager,
Central Co-op Bank Ltd.,
Villupuram,
Villupuram District.

3.Assistant General Manager,
General Co-operative Bank Ltd.,
Villupuram,
Villupuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of writ of certiorarified Mandamus, calling for the records on the file of the third respondent in Na.Ka.No.E-1/1417/2015 dated 22.05.2015 and quash the same as unreasonable and illegal and consequently direct the first respondent to appoint the petitioner as a sub staff in the Central Co-op Bank Limited in any one of the Branch at Villupuram under compassionate appointment.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.L.P.Shanmuga Sundaram,
Special Government Pleader

O R D E R

Mr.L.P.Shanmuga Sundaram, learned Special Government Pleader takes notice for the respondents.

2.For more than one reason, the writ petition deserves to be dismissed. The husband of the petitioner was employed in the respondent Co-operative Bank. He was removed from service by an order dated 25.02.2015. Thereafter, the petitioner's husband died on 04.04.2015. The petitioner seeks compassionate appointment on the death of her husband. The respondent Bank passed the impugned order dated 22.05.2015 stating that since, the husband of the petitioner was removed from service before his death, the petitioner could not claim compassionate appointment.

3.I do not find any infirmity in the impugned order passed by the respondent Bank. Unless the termination order is set aside, the petitioner cannot acquire any right to claim for compassionate appointment or some other benefits that are payable to the husband of the petitioner. Furthermore, it is well settled that the Writ Petition against the Cooperative Society is not maintainable as held by the Full Bench judgment of this Court in K.Marappan vs. Deputy Director of Cooperative Societies, Namakkal reported in (2006) 4 CTC 689.

4. Hence, the Writ Petition fails and the same is dismissed. However, dismissal of the writ petition cannot preclude the petitioner from questioning the order of removal passed against the husband of the petitioner, in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

jbm

To

1.The Chairman cum Managing Director,
Central Co-operative Bank Ltd.,
Villupuram,
Villupuram District.

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2.The General Manager,
Central Co-op Bank Ltd.,
Villupuram,
Villupuram District.

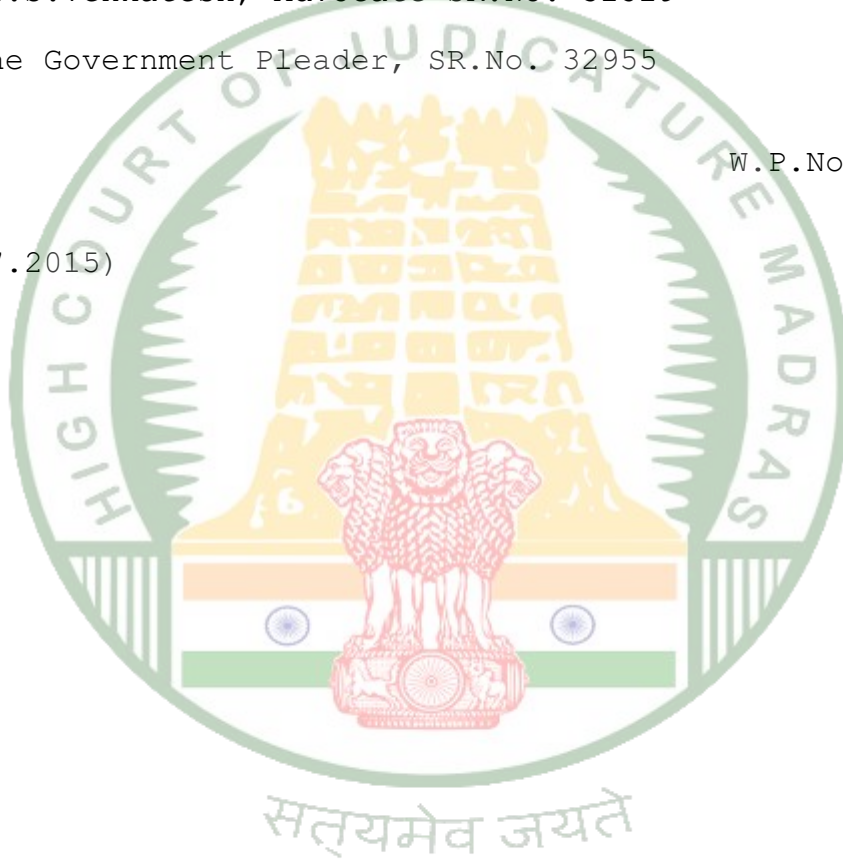
3.Assistant General Manager,
General Co-operative Bank Ltd.,
Villupuram,
Villupuram District.

1 CC to Mr.S.Venkatesh, Advocate SR.No. 32529

1 CC to the Government Pleader, SR.No. 32955

W.P.No.19235 of 2015

KJI (CO)
PSI (09.07.2015)



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