

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3531 of 2017

S.P.Surendhar

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Erode.

2.The President,
1127, Periyapuliur Primary Agricultural
Co-operative Credit Society Ltd.,
Periyapuliur, Bhavani,
Erode District - 638 455.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to dispose of the petitioner's representations dated 30.01.2015 and 03.01.2017 pending on the file of the 1st and 2nd respondent respectively and to consider the petitioner's application for appointment for the post of Junior Clerk/Fertilizer Salesman on compassionate ground.

For Petitioner : Ms.T.P.Savitha

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader (Co-op)

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2.The petitioner would aver that his father Late K.Palanisamy was working as Secretary in the services of the 2nd respondent Society for more than 28 years and died in harness on 06.01.2015, leaving behind the petitioner, his mother, elder brother as well as his grandmother as legal heirs and according to the petitioner, his father was the breadwinner of the family. The sudden demise of his father left the family in lurch and they are facing grave financial situation. The petitioner immediately submitted a representation/application on 30.01.2015 to the 2nd respondent

along with necessary documents praying for appointment on compassionate grounds commensurate with his qualification of having passing higher secondary education. The 2nd respondent also made a positive recommendation in the form of a Resolution dated 10.02.2015, forwarded through proper channel to the 1st respondent. The petitioner has also submitted a representation dated 03.01.2017 to the 1st respondent and since no orders have been passed, came forward to file this Writ Petition.

3.The learned counsel appearing for the petitioner would submit that in the light of the positive recommendation made by the 2nd respondent on 10.02.2015, there cannot be any impediment on the part of the 1st respondent to consider the claim of the petitioner seeking appointment on compassionate grounds, on merits and in accordance with law, at an earlier date.

4. Heard the submissions of the learned counsel appearing for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader (Co-op), who accepts notice on behalf of the respondents.

5. Though the petitioner prays for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to consider/act on the Resolution/recommendation of the 2nd respondent dated 10.02.2015 and consider and dispose of the petitioner's representations dated 03.01.2017, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1.The Joint Registrar of Co-operative Societies,
Erode.

2.The President,
1127, Periyapuliyur Primary Agricultural
Co-operative Credit Society Ltd.,
Periyapuliyur, Bhavani,
Erode District - 638 455.

+1cc to M/S.T.P. Savitha, Advocate, SR. 9124

+1cc to M/S L.P. Shanmugasundaram, SR. 9651

+1cc to The Government Pleader SR. 9721

W.P.No.3531 of 2017

MP (CO)
VR(23/02/2017)



WEB COPY