



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No.1844 of 2015

and

M.P (MD) No.1 of 2015

D.G.Raja Epsalin

... Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
Tiruchendur,
Thoothukudi District.

2.The President,
Udangudi EE-423 Primary Agriculture Co-operative Bank,
Udangudi,
Thoothukudi District.

... Respondents

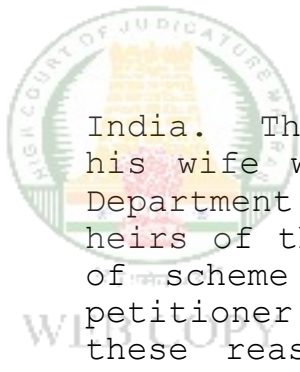
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order bearing Na.Ka.No.172/2014 Tho.Ve.Ku.Sa dated 11.08.2014 passed by the first respondent and quash the same.

For Petitioner : Mr.I.Velpradeep
For Respondents : Mr.S.Dhayalan,
Government Advocate

ORDER

The order of rejection, dated 11.08.2014 rejecting the claim of the writ petitioner for compassionate appointment is under challenge in the present writ petition.

2. The father of the writ petitioner Shri.T.Devapitchai was employed as Secretary in the Second Respondent Co-operative Bank and died on 15.02.2005 while he was in service. The wife of the deceased employee was employed in Government service and she was working as Secondary Grade Teacher. Thus, the wife of the deceased employee had not submitted any application. Subsequently, the writ petitioner, who is the third son of the deceased employee, filed an application seeking appointment on compassionate ground. The said application was rejected stating that there is no rule to appoint the writ petitioner on compassionate ground. First of all the writ petition cannot be entertained in view of the fact that the appointment is sought for a co-operative Bank, which is not a "State" within the meaning of Article 12 of the Constitution of



India. This apart, at the time of death of the deceased employee, his wife was working as Secondary Grade Teacher in the Education Department of the Government of Tamil Nadu. Therefore, the legal heirs of the deceased employee is not entitled to avail the benefit of scheme of compassionate appointment. This apart, the writ petitioner is the third son of the deceased employee and for all these reasons, the writ petitioner is not entitled to get any benefit under the scheme of compassionate appointment. Accordingly, the writ petition is devoid of merits and stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar (CS)

To

- 1.The Deputy Registrar of Co-operative Societies,
Tiruchendur,
Thoothukudi District.
- 2.The President,
Udangudi EE-423 Primary Agriculture Co-operative Bank,
Udangudi,
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-83194[F] dated 22/08/2019)

W.P. (MD)No.1844 of 2015
21.08.2019

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