



WEB COPY

W.P(MD) .No.14960 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2020

CORAM:

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

W.P. (MD) No.14960 of 2014

and

W.M.P (MD) .No.12330 of 2017

Selvakumar

... Petitioner

Vs.

- 1.The Joint Registrar of
Co-operative Societies,
Tirunelveli.
- 2.The Deputy Registrar of
Co-operative Societies,
Cheranmahadevi,
Tirunelveli District.
- 3.The Special Officer,
Pramadesam Co-operative Agricultural
Bank Ltd.,
Pramadesam,
Ambasamudram Taluk,
Tirunelveli District.
- 4.The President,
District Recruitment Bureau
For Co-operatives,
2, Sarvanjar Steet,
Palayamkottai,
Tirunelveli-2.
- 5.The Secretary to Government,
of Tamil Nadu Co-operative Department,
Fort St.George,
Chennai-9.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 3rd respondent to provide an appointment to the petitioner on compassionate ground in any co-operative Society in Tirunelveli District.

For Petitioner : Mr.C.A.Ganapathi
For Respondents : Mr.P.Mahendran
Additional Government Pleader



ORDER

The relief sought for the in the present writ petition is to direct the third respondent to provide an appointment to the petitioner on compassionate ground.

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2.The third respondent is a Pramadesam Co-operative Agricultural Bank, which is a Co-operative Society registered under the provisions of the Tamil Nadu Co-operative Societies Act. The Co-operative Societies, which are not funded by the Government, not a "State" within the meaning of Article 12 of the Constitution of India. Thus, the petitioner has to approach the authorities for the redressal of his grievances. This apart, the father of the writ petitioner died on 17.06.1980. The Writ Petitioner has filed an application on 13.02.2006, after a lapse of 40 years from the date of the death of the deceased employee. The claim of compassionate appointment is provided in order to relieve the penurious circumstances arising on account of the death of the employee. The penurious circumstances is also to be established for the purpose of seeking an appointment on compassionate ground. When the writ petition itself is filed after a lapse of 40 years from the date of the death of the deceased employee, the petitioner is absolutely not eligible to seek an appointment on compassionate ground.

3.This apart, the writ petition itself is not entertainable, on the ground that the third respondent is a Co-operative Society and accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

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

2.The Deputy Registrar of
Co-operative Societies,
Cheranmahadevi,
Tirunelveli District.



3.The Special Officer,
Pramadesam Co-operative Agricultural
Bank Ltd.,
Pramadesam,
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Tirunelveli-2.

5.The Secretary to Government,
of Tamil Nadu Co-operative Department,
Fort St.George,
Chennai-9.

+1 CC to M/s.GP (SR-24379[F] dated 08/12/2020)

W.P. (MD) No.14960 of 2014
and

W.M.P (MD) .No.12330 of 2017
04.12.2020

mj (CO)

KK(22.12.2020) 3P 7C