

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.04.2021

CORAM

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

W.P.No.9605 of 2021

G.Mahesh Kumar

..Petitioner

Vs.

1.Joint Registrar of
Co-operative Societies/Revisional Authority
Kancheepuram Zone
Kancheepuram.

2.Villipakkam PrimaryAgriculture
Co-operative Credit Society
Rep by its President
Villipakkam Village
Soonampedu Post
Cheyyur Taluk
Chengelpet District-603 401

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the concerned from the 1st respondent, quash the order of the 1st respondent bearing Na.Ka.283/2021/Saba dated 10.02.2021 rejecting the revision petition and the order bearing NA.KA.283/2021/Saba dated 10.02.2021 of the 1st respondent directing the petitioner to submit the application for appointment on compassionate ground to the Deputy Registrar as illegal, arbitrary and contrary to law and consequently direct the 1st respondent to take the revision petition dated 29.12.2020 filed by the petitioner on record under Section 153 of the Tamil Nadu Co-operative Societies Act and decide the same on its merits and in accordance with law.

For Petitioner : Mr.Balan Haridas

For Respondents : Mr.L.P.Shanmuga Sundaram,
Spl.Govt.Pleader

ORDER

Petitioner has applied for some appointment on compassionate grounds on the demise of his father. No orders were passed by

the original authority. Therefore, he filed a revision under Sec.153 of the Tamil Nadu Co-operative Societies Act. The said revision was rejected on the ground that the revision is not maintainable without any order of the original authority. This case, it is only a request for consideration for compassionate ground appointment. In that event, the authorities either take a decision to grant compassionate appointment or to reject it, without passing any orders it cannot be kept in cold storage. The Joint Registrar of Co-operative societies ought to have given instruction to the original authority to dispose of the application on merits since he has rejected it on the ground that no revision is maintainable against an order. Such orders are not sustainable.

2. Mr.L.P.Shanmugasundaram, Special Government Pleader takes notice for the respondents.

3. Considering the facts and circumstances of the case, without expressing any opinion on merits, a direction is given to the respondents to consider the request of the petitioner for compassionate ground appointment in accordance with law and pass orders on merits within a period of four weeks from the date of receipt of a copy of this order. No costs.

With the above direction, writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

kpr

To

1.Joint Registrar of
Co-operative Societies/Revisional Authority
Kancheepuram Zone
Kancheepuram

2.The President
Villipakkam PrimaryAgriculture
Co-operative Credit Society
Villipakkam Village
Soonampedu Post
Cheyyur Taluk
Chengelpet District-603 401

+1cc to M/s.Balan Haridas, Advocate, S.R.No.23905
+1cc to The Spl Government Pleader(CO-OP), S.R.No.23991

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BR(CO)
CB(14/06/2021)



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