



WEB COPY

W.P.No.1538 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 1538 of 2016

P. Shanthakumar

... Petitioner

Vs.

The Managing Director,
Chennai Central Cooperative Bank
Prakasam Salai,
Chennai – 600 108.

... Respondent

Prayer: Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to give employment to the petitioner on compassionate grounds on account of the death of father C. Poongavanam while in service.

For Petitioner

: Ms. H. Yasmeen Ali

For Respondent

: Mr. P. Anbarasan



ORDER

The relief sought for in the present writ petition is to direct the respondent to give employment to the petitioner on compassionate ground.

2. The father of the writ petitioner late C. Poongavanam was working as Driver in Chennai Central Cooperative Bank and died on 24.03.2012, while he was in service.

3. The petitioner states that his brother got married and residing separately. He is looking after his mother and he has passed 10th Std and now unemployed. Therefore, he submitted an application seeking appointment on compassionate grounds. The said application was not considered and therefore the petitioner has chosen to file the present writ petition.

4. The father of the writ petitioner was an employee of a cooperative bank registered under the provisions of the Tamil Nadu Cooperative Societies Act, which is not a State within the meaning of Article 12 of the Constitution of India. Thus, the petitioner has to exhaust the statutory remedy contemplated under Section 153 of the Act by approaching the revisional authority.



5. That apart, compassionate appointment is a concession and to be implemented strictly in accordance with the terms and conditions of the Scheme.

6. In the present case, the petitioner's father died in the year 2012 and already 10 years lapsed. Under these circumstances, the petitioner is at liberty to approach the revisional authority under Section 153 of the Tamil Nadu Coopertaive Societies Act, for the purpose of redressing his grievances with reference to the terms and conditions of the Scheme of compassionate appointment which is applicable to the respondent cooperative bank. With this liberty, this writ petition stands disposed of. No costs.

01.11.2022

mrn
Index : Yes / No
Speaking order / Non-Speaking order

To
The Managing Director,
Chennai Central Cooperative Bank
Prakasam Salai,
Chennai – 600 108.

S.M.SUBRAMANIAM, J.



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