



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P. (MD) No.11480 of 2022

J.Kavitha

... Petitioner

Vs.

- 1.The Joint Registrar,
Co-operative Societies,
N.V.Natarajan Maligai,
No.170, Periyar E.V.R.High Road,
Kilpauk,
Chennai.
- 2.The Joint Registrar,
Co-operative Societies,
Theni District.
- 3.The Deputy Registrar,
Co-operative Societies,
Theni District.
- 4.The President,
D-D.417, Thamaraikulam Primary Agricultural
Co-operative Credit Society,
Periyakulam Taluk,
Theni District.
- 5.The Secretary,
D-D.417, Thamaraikulam Primary Agricultural
Co-operative Credit Society,
Periyakulam Taluk,
Theni District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents No.2 to 5 provide the petitioner any suitable post on compassionate ground on account of death of her husband S.Jeyaprakash by considering her representation dated 27.02.2020 and for other reliefs.

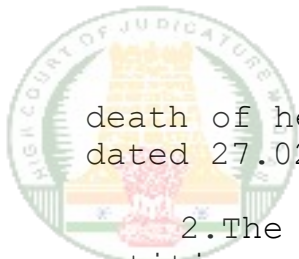
For Petitioner : Mr.J.Lawrance

For Respondents : Mr.P.Thilakkumar

Additional Government Pleader

O R D E R

This writ petition has been filed for issuance of a Mandamus seeking for a direction to the respondents No.2 to 5 to provide the petitioner any suitable post on compassionate ground on account of



death of her husband S.Jeyaprakash by considering her representation dated 27.02.2020.

2.The learned counsel for the petitioner submitted that the petitioner's husband S.Jeyaprakash, was employed as an 'Attender' with the fifth respondents and died while in service on 25.06.2007. Therefore, the petitioner approached the respondents 4 and 5 in person for giving compassionate appointment to her. Since the respondents 4 and 5 have not considered the same, she gave a representation, dated 06.11.2013, to the respondents seeking suitable post to her, on compassionate ground. The Joint Registrar of Co-operative Societies, Chennai, through a letter, dated 02.02.2015, informed that the representation, dated 06.11.2013, seeking compassionate appointment by the petitioner, to be considered by the Joint Registrar of Co-operative Societies, Theni and directed the petitioner to approach the Joint Registrar of Co-operative Societies, Theni. Further, the learned counsel for the petitioner submitted that since the petitioner's representation was not considered, she again sent a representation, dated 11.02.2015 and again on 27.03.2015, 07.12.2015 and last such representation is dated 27.02.2020. So far no steps have been taken on the representation.

3.Mr.P.Thilak Kumar, learned Additional Government Pleader, who took notice on behalf of the respondents, submitted that the petitioner has not submitted her representation for compassionate ground, in writing, within a period of three years from the date of death of her husband. Therefore, she has no right to claim compassionate appointment.

4.Considering the factual position as stated above and the fact that there was no order passed on the representation, dated 06.11.2013 and on the subsequent representations, this Court directs the respondents 2 to 5 to pass appropriate orders, in accordance with law, on the representations of the petitioner, dated 06.11.2013 and 27.02.2020 at the earliest possible, preferably within a period of eight (8) weeks from the date of receipt of a copy of this order.

5.Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

TM



To

- 1.The Joint Registrar,
Co-operative Societies,
N.V.Natarajan Maligai,
No.170, Periyar E.V.R.High Road,
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Chennai.
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- 5.The Secretary,
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Co-operative Credit Society,
Periyakulam Taluk,
Theni District.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-25488[F] dated 14/06/2022)

+1 CC to M/s.SPL.GP. (SR-25577[F] dated 14/06/2022)

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