



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.15770 of 2019

W.M.P. (MD) Nos.12506 & 12507 of 2019

K.Pandeeswari

... Petitioner

Vs.

1. The Joint Registrar
Joint Registrar of Cooperative Society Office,
Dindigul.
2. The Deputy Registrar,
Deputy Registrar of Cooperative Society Office,
Dindigul
3. The President
A2951 Sevugampatti Primary Agriculture
Cooperative Credit Society
Sevugampatti
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 01.07.2019 made in Na.Ka.No.229/2019 Ve Se Sa passed by the 2nd respondent and quash the same as illegal and consequently direct the respondents to appoint the petitioner as Saleswoman in the 3rd respondent Society.

For Petitioner : Mr.C.Mayilvahana Rajendran

For Respondents : Mr.M.Ramesh
Government Advocate

ORDER

The petitioner is the wife of the deceased employee Mr.M.Kannan, who was working as Salesman in a Cooperative Society registered under the Tamil Nadu Cooperative Societies Act, 1983 (hereinafter referred to as 'the Act').

2.The Cooperative Societies is not funded by the Government and is not a State within the meaning of Article 12 of the

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Constitution of India. The petitioner seeks appointment on compassionate ground. Therefore, the petitioner has to approach the competent authority under section 153 of the Act. It is made clear that whether the Government compassionate appointment scheme would be applicable to the employee of the cooperative society or not, if it is applicable, the case of the petitioner has to be considered in accordance with the scheme for the parties to establish the facts and circumstances. The petitioner is at liberty to approach the revisional authority under section 153 of the Act and in the event of any such approach, the competent authority shall decide the matter as expeditiously as possible.

3. The writ petition stands disposed of. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

RR

To

1. THE JOINT REGISTRAR
JOINT REGISTRAR OF COOPERATIVE SOCIETY OFFICE,
DINDIGUL.
2. THE DEPUTY REGISTRAR,
DEPUTY REGISTRAR OF COOPERATIVE SOCIETY OFFICE,
DINDIGUL.

+1 CC to M/s.C. MAYIL VAHANA RAJENDRAN, Advocate
(SR-18791[F] dated 13/04/2022)

+1 CC to M/s.SPL.Government Pleader
(SR-18991[F] dated 18/04/2022)

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