



WEB COPY



W.P.No.22618 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22618 of 2010

S.Lakshmi Bai

...Petitioner

-Vs-

1. The Special Officer,
Tamilnadu Co-operative Marketing
Federation Ltd.,
St. Mary's Road,
Mandaveli,
Chennai – 600 018.

2. The Regional Manager,
Tamilnadu Co-operative Marketing
Federation Ltd.,
Dharmapuri.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings of the first respondent made in Na.Ka.No.1158/09 Pa.Tho.3(1) dated 26.11.2009, to quash the same and consequently direct the first respondent to appoint the petitioner's son S.Nandhakumar on compassionate ground in the suitable post.



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For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.J.Raja Kalifulla

ORDER

The writ petition has been filed challenging the order dated 26.11.2009, passed by the first respondent in Na.Ka.No.1158/09 Pa.Tho.3(1), thereby rejecting the request made by the petitioner to appoint her son on compassionate ground in the suitable post.

2. The petitioner's husband had joined in the respondents' department on 20.04.1974 and due to ill health had requested for voluntarily retirement. His request was accepted and he was permitted to retire from service on voluntary retirement scheme on 19.12.2004. Thereafter, he died on 03.12.2006 due to his illness. Therefore, the petitioner made a request to appoint her son on compassionate ground in the suitable post.

3. The person who died in service is only entitled for compassionate ground appointment and the person who retired from service under any scheme is not entitled for compassionate ground appointment. Therefore, the request made by the petitioner rightly



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rejected by the first respondent and this Court finds no infirmity or illegality in the order passed by the first respondent.

4. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

16.08.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts

To

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