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Writ Petition No.28034 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.28034 of 2024

and

W.M.P.No.30584 of 2024

V.Bharathirajan
S/o.Late G.Varadharajan

... Petitioner

Vs.

1.Joint Registrar of Co-operative Societies,
Tiruvallur District, Tiruvallur.

2.Executive Officer,
Allamelumangapuram,
Primary Agricultural Co-operative Bank,
Mathur Post, Tiruttani Taluk,
Tiruvallur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus quashing the letter Na.Ka.822/2022/A2 dated 02.05.2022 of the first respondent and issue a direction to the respondents to give employment to petitioner on compassionate grounds.

For Petitioner : Mr.G.A.Thiyagarajan

For Respondents : Mr.M.Rajendran
Additional Government Pleader [R1]
Mr.V.Manoharan
Additional Government Pleader [R2]



Writ Petition No.28034 of 2024

ORDER

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This writ petition has been filed challenging the impugned letter of the first respondent dated 02.05.2022 and for a consequential direction to the petitioner to give employment on compassionate grounds.

2. Heard Mr.G.A.Thiyagarajan, learned counsel for petitioner, Mr.M.Rajendran, learned Additional Government Pleader appearing for first respondent and Mr.V.Manoharan, learned Additional Government Pleader appearing for second respondent.

3. The case of the petitioner is that his father Varadharajan was working as Secretary in the Primary Agricultural Co-operative Society at Allamelumangapuram, Tiruttani Taluk. He died in harness on 06.04.2005 leaving behind his wife, daughters and the petitioner herein who is the son. The petitioner was a minor at the time of the demise of his father. The petitioner's mother submitted an application on 07.08.2006 to grant appointment on compassionate grounds and the same was rejected on the ground that she did not have sufficient educational qualification. Thereafter, several representations were made to the respondents seeking



Writ Petition No.28034 of 2024

for appointment on compassionate ground from the year 2011. The petitioner attained majority on 18.12.2009 and he submitted an application dated 27.04.2022 seeking for appointment on compassionate ground. The said application was rejected by the first respondent through the impugned letter dated 02.05.2022 and the same has been put to challenge in the present writ petition.

4. The first respondent has rejected the claim made by the petitioner on the ground that the deceased had died in the year 2005 and there was no one eligible to be considered for compassionate appointment at that point of time and the petitioner was also a minor. Subsequently, the petitioner, on attaining majority, has submitted an application in the year 2022 seeking for compassionate appointment. The same was rejected on the ground that the claim made by the petitioner is not within the requirements prescribed under the Government Order.

5. The issue that is involved in the present writ petition is squarely covered by the judgment of the Full Bench in ***Nandini Dev v. Secretary to Government [W.P.(MD) Nos.7016 of 2011 etc. batch, dated 11.03.2020]***. This judgment was subsequently relied upon by the



WEB COPY



Writ Petition No.28034 of 2024

N.ANAND VENKATESH, J

gm

Division Bench of this Court in *Tamil Nadu State Transport Corporation (Madurai) Ltd. and another v. S.Azarutheen [W.A.(MD) No.120 of 2021, dated 03.08.2022]*. The impugned rejection letter of the first respondent dated 02.05.2022 is perfectly in line with the said judgments. Therefore, there is no question of interfering with the same.

In the result, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

25.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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To

1.The Joint Registrar of Co-operative Societies,
Tiruvallur District, Tiruvallur.

2.The Executive Officer,
Allamelumangapuram,
Primary Agricultural Co-operative Bank,
Mathur Post, Tiruttani Taluk, Tiruvallur.

Writ Petition No.28034 of 2024