



W.P.No.27504 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM:

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

W.P.No.27504 of 2022
and W.M.P.No.26739 of 2022

C.Sathishkumar

... Petitioner

-Vs-

1. The State of Tamil Nadu
represented by its Secretary to Government,
Department of Animal Husbandry and
Fisheries Department,
Fort St.George,
Chennai – 600 009.
2. The Management of Dharmapuri District
Co-operative Milk Producers Union,
represented by its Managing Director,
Kanagamuthulu Post,
Krishnagiri Taluk,
Dharmapuri District.
3. The Commissioner,
Milk Production and Dairy Development,
Madhavaram Milk Colony,
Chennai 600015.



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4. General Manager,
The Dharmapuri Dist Cooperative
Milk Producers Union Limited,
Kanagamuthu Post, Salem Main Road,
Krishnagiri – 635002.

5. Deputy Registrar (Dairying),
Milk and Dairy Development,
Kanagamuthu Post, Salem Main Road,
Krishnagiri – 635002.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the fourth respondent in Na.Ka.No.5541/Admin/3/2021 dated 23.08.2022 and quash the same and consequentially direct the respondents to appoint the petitioner in the second respondent Society on compassionate grounds.

For Petitioner : Mr.C.Vidhusan

For R1, R3 and
R5 : Mrs.R.L.Karthika
Government Advocate

For R2 and R4 : Mr.I.John Arockiadas

ORDER

This writ petition has been filed challenging the order passed by the fourth respondent dated 23.08.2022, thereby rejected the claim made by the petitioner seeking appointment on compassionate ground.



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2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner's father, while he was working as Casual Worker in the fourth respondent Union, died on 20.04.2019. While he was in service, he filed a writ petition before this Court in W.P.No.20493 of 2008 seeking regularization of his service. This Court, by an order dated 08.09.2009 directed the authority to consider the proposal sent by the Commissioner and pass order to regularize the service of the petitioner's father. However, till his father's demise, the said request was not considered and his service was not regularized. In fact, co-workers filed a writ petition in W.P.No.7017 of 2021 and the same was also disposed of on 07.03.2024 with a direction to consider their representation for regularization of their services.

4. Admittedly, the petitioner's father died while he was working as Casual Labour and his service was not regularized so far. Therefore, the claim of the petitioner seeking compassionate appointment was rightly



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rejected by the fourth respondent and this Court finds no infirmity or illegality in the order passed by the fourth respondent and this writ petition is devoid of merits and is liable to be dismissed.

5. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

19.03.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
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To

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