



WP.(MD).No.6774 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 28.03.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.6774 of 2024
and
W.M.P.(MD)No.6291 of 2024

B.Satheesh

... Petitioner

Vs.

1.The Deputy General Manager,
Canara Bank,
HRM Section,
Circle Office,
Madurai-625001.

2.The Chief Manager,
Canara Bank,
Nagercoil Meenakshipuram Branch (1112),
Nagercoil,
Kanakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner on compassionate ground to any of the post commensurate with the petitioner's qualification without insisting the consent of the other legal heir of the petitioner's deceased wife Mrs.Siva Vinodha and by considering petitioner's representation dated 20.02.2024.



WP.(MD).No.6774 of 2024

For Petitioner	: Mr.H.Mohammed Imran
	For Ms.J.Shakila
For Respondents	: Mr.N.Dilip Kumar
	Standing Counsel

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the respondents to appoint the petitioner on compassionate ground to any of the post commensurate with the petitioner's qualification without insisting the consent of the other legal heir of the petitioner's deceased wife Mrs.Siva Vinodha and by considering petitioner's representation dated 20.02.2024.

3.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner's wife was working as a Single Window Operator-A in the second respondent Bank. During pandemic, on 20.05.2021, she passed away affected with Covid 19. She is survived by the petitioner and her mother. On 12.12.2022, the



WP.(MD).No.6774 of 2024

petitioner submitted an application for compassionate appointment to the respondents. However, the application has been returned by the first respondent vide proceedings dated 15.11.2022, stating that no objection has to be obtained from all the surviving legal heirs. The other surviving sole legal heir of the petitioner's wife is the mother of the deceased employee and she has completed 56 years of age. Claiming that she has crossed the maximum age limit as contemplated under the scheme provided by the respondent Bank for appointment on compassionate ground, the petitioner sought for appointing him by dispensing with production of No Objection Certificate from the mother of the employee. In this regard, the petitioner has made a representation dated 20.02.2024 to the respondents. However, the same was not considered. Hence, this Writ Petition came to be filed.

4.The learned Standing Counsel appearing for the respondents submitted that the application of the petitioner could be considered strictly in terms of the Scheme of the Bank which provides for appointment on compassionate ground. The petitioner is also amenable to such relief, which is suggested by the learned Standing counsel.



WP.(MD).No.6774 of 2024

WEB COPY

5. Heard the learned counsel appearing for the petitioner, the learned Standing counsel appearing for the respondents and carefully perused the entire materials available on record.

6. In view of the same, this Court hereby direct the respondents to consider the petitioner's representation dated 20.02.2024 and pass appropriate orders strictly in terms of the Scheme provided for appointment on compassionate ground by the respondent Bank within a period of 12 weeks from the date of receipt of copy of this order.

7. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



WEB COPY



WP.(MD).No.6774 of 2024

To

- 1.The Deputy General Manager,
Canara Bank,
HRM Section,
Circle Office,
Madurai-625001.
- 2.The Chief Manager,
Canara Bank,
Nagercoil Meenakshipuram Branch (1112),
Nagercoil,
Kanakumari District.



WEB COPY



WP.(MD).No.6774 of 2024

L.VICTORIA GOWRI, J.

Mrn

W.P.(MD)No.6774 of 2024

28.03.2024