



W.A(MD) No.357 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 07.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.A(MD) No.357 of 2019
and
C.M.P.(MD)No.2978 of 2019**

J.Jenitta

... Appellant

Vs

**1.The Joint Registrar
of Co-operative Society,
Nagercoil,
Kanyakumari District.**

**2.The Deputy Registrar
of Co-operative Society,
Thuckalay,
Kanyakumari District.**

**3.The Special Officer,
Primary Agricultural Co-operative Bank,
Kannanoor,
Kanyakumari District.**

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 02.01.2018 in W.P.(MD)No.7619 of 2010 on the file of this Court.

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For Petitioner : Mr.T.Aswin Rajasimman
for Mr.T.Lajapathi Roy

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ appellant's father was employed as Secretary in the third respondent Co-operative Bank. It is seen that he was seriously ill from the year 1999 onwards. He passed away on 20.11.2006. It is not in dispute that he was not removed or terminated from service. The petitioner applied for appointment on compassionate grounds. The petitioner's request was rejected by the second respondent vide order dated 23.04.2010. Challenging the same, the appellant herein filed W.P. (MD)No.7619 of 2010. The writ petition was dismissed on 02.01.2018. Questioning the same, this writ appeal came to be filed.

2. This appeal has to fail for more than one reason. Admittedly, the petitioner's father was not reporting to duty since 1999. It is obvious that he was not getting salary since then. He passed away in November 2006. An application for compassionate appointment was made only on



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14.12.2009. The purpose for which compassionate appointment is given is to facilitate the dependants to tide over the immediate financial crisis.

In this case, financial crisis must have struck the family from 1999 onwards. The relevant scheme clearly states that the time limit for submission of the application is three years. In this case, death took place on 20.11.2006. The application was made on 14.12.2009. For these twin reasons, we are of the view that the learned Single Judge was justified in dismissing the writ petition and the order impugned in the writ appeal does not warrant interference.

3. The writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.P., J.)
07.11.2024

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