



W.P.(MD)No.10401 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.10401 of 2024

Pratheepa

... Petitioner

vs.

1.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
Poonamalle High Road, Kilpauk, Chennai.

2.The Joint Registrar of Co-operative Societies,
Thoothukudi Region,
Thoothukudi.

3.O.961, Thoothukudi District Consumer
Cooperative Marketing Society,
Rep. by its Managing Director,
Thoothukudi.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to give suitable job to the petitioner on the compassionate grounds based on the petitioner's application dated 28.10.2020.



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For Petitioner : Mr.S.M.Mohan Gandhi
For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

Heard Mr.S.M.Mohan Gandhi, learned counsel appearing for the petitioner and Mr.K.S.Selvaganesan, Additional Government Pleader appearing for the Respondents.

2. The petitioner's father worked as a Salesman in the third respondent Society and died while in service on 13.12.2014, leaving behind his wife and three daughters. Therefore, the petitioner submitted an application for compassionate appointment to the respondents on 28.10.2020. Since the same is not yet considered, the petitioner has come up with the present petition.

3. It is needless to point out that whenever a petition of this nature is made to a Statutory Authority, there is a duty cast upon them to consider the same on their own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such,



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non-consideration of the petition by the Statutory Authority would amount to dereliction of duty. The failure on the part of the Authority had prompted the petitioner to file this petition seeking relief through issuance of writ of mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the application of the petitioner within a specified time frame.

4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's application dated 28.10.2020 on their own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on their own merits.



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5. With the above direction, the Writ Petition stands **disposed**

of. No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To

- 1.The Registrar of Co-operative Societies,
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R.N.MANJULA, J.

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