



W.P.(MD).No.19102 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.19102 of 2020

and

W.M.P(MD)No.15970 of 2020

R.G.Sunitha

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies
cum the Chairman of Co-operative Societies,
District Recruitment Bureau,
Kanyakumari Region at nagercoil,
Kanyakumari District.

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

3.The President,
Thiruvattar Co-operative Primary Agricultural
and Rural Development Bank,
Kulasekaram Post, Kanyakumari District.

4.The President,
Ittagaveli Primary Agricultural Co-operative
Credit Society Y-234,
Ittagaveli, Kulasekaram,
Kanyakumari District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to provide employment under compassionate grounds forthwith to the petitioner herein by placing her in any one of the regular Sales Person Posts lying vacant in any of the primary Agricultural Co-operative Credit Societies at Kanyakumari District.

For Petitioner : Mr.T.Cibi Chakraborty
For R1 & R2 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R3 : Mr.K.N.Thambi
For R4 : Mr.M.P.Senthil

ORDER

The present writ petition has been filed for a mandamus seeking a direction to the respondents herein to provide employment under compassionate grounds forthwith to the petitioner herein by placing her in any one of the regular Sales Person Posts lying vacant in any of the primary Agricultural Co-operative Credit Societies at Kanyakumari District.

2. The petitioner's husband N.Gopan served as an Officer Assistant in the 4th respondent Society. While in service, he passed away on 21.05.2019. He



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was survived by the petitioner, one daughter Dhanyamol, one son Bharath and his mother Thangammal. Thereafter, the petitioner submitted an application to the 3rd respondent seeking employment on compassionate ground on 04.07.2019. A representation was also submitted by the petitioner to the District Collector in this regard on 10.02.2020. However, the same was not considered. Hence, this writ petition came to be filed.

3. The learned counsel for the petitioner submitted that after the death of her husband, her family is thrown to starvation and continuously suffering penury. As on date, there is a vacancy in the cadre of Office Assistant in the (i) 4th respondent Society (ii) Primary Agricultural Co-operative Credit Society - Attor, (iii) Primary Agricultural Co-operative Credit Society – Manakkavilai (iv) Andoor Primary Agricultural Co-operative Credit Society – Vendalicode (v) Kulasekaram Primary Agricultural Co-operative Credit Society, Kulasekaram. The petitioner has already submitted her representation along with composite certificate incorporating all the necessary details for seeking appointment on compassionate ground, which was received duly from the Tahsildar. Despite the same, her application is not considered for the past 4 years.



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4. The learned counsel for the respondents submitted that the petitioner can be accommodated in any one of the vacancies available in the aforesaid societies.

5. Heard the learned counsels on either side.

6. In view of the fact that the petitioner has duly submitted her application for appointment on compassionate ground with all necessary details in terms of G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023, the respondents 1 and 2 are hereby directed to consider the representation of the petitioner, dated 04.07.2019 and grant appointment on compassionate ground particularly in the 4th respondent Society in the post of Office Assistant. In case of difficulty, the petitioner can be accommodated in any of the vacancies available in (i) Primary Agricultural Co-operative Credit Society - Attor, (ii) Primary Agricultural Co-operative Credit Society – Manakkavilai (iii) Andoor Primary Agricultural Co-operative Credit Society – Vendalicode (iv) Kulasekaram Primary Agricultural Co-operative



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Credit Society, Kulasekaram. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of copy of this order.

7. Accordingly, this Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

26.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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L.VICTORIA GOWRI, J.

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