



W.P.(MD).No.1750 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.1750 of 2025
and
W.M.P.(MD)No.1251 of 2025

G.Gowtham

... Petitioner

-VS-

1. The Joint Registrar of Co-Operative Societies,
The Selection Control Officer,
District Recruitment Bureau,
Theni District.

2. The Deputy Registrar of Co-Operative Societies,
Uthamapalayam,
Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned letter sent by the 2nd respondent dated 03.01.2025 bearing Na.Ka.No. 1846/2024/Tho.Va and quash the same and direct the respondents to appoint the petitioner on compassionate ground as sales man in the M.D. Spl. 22 B.Meenatchipuram Primary Agricultural Co-Operative Credit Society, Bodi Meenatchipuram or in the respondents' department within the time limit stipulated by this Court.



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W.P.(MD).No.1750 of 2025

For Petitioner : Mr.R.Saravanan

For Respondent : Mr.S.R.A.Ramachandhran

Additional Government Pleader

ORDER

This writ petition has been filed challenging the letter sent by the second respondent dated 03.01.2025 in Na.Ka.No. 1846/2024/Tho.Va and to direct the respondents to appoint the petitioner on compassionate ground as 'Salesman' in M.D. Spl. 22 B.Meenatchipuram Primary Agricultural Co-Operative Credit Society, Bodi Meenatchipuram or in the respondents' department within the time limit stipulated by this Court.

2. Heard the learned counsel on either side.

3. The petitioner's father was appointed on 14.07.1995 as 'Weigh Man' on temporary basis at B.Meenatchipuram Primary Agricultural Cooperative Credit Society, Bodi Meenatchipuram. He was thereafter promoted to the post of Salesman. All of a sudden, the petitioner's father died in harness in the year 2007. Hence, the petitioner made an application to the first respondent seeking compassionate appointment. Pursuant to the same, an



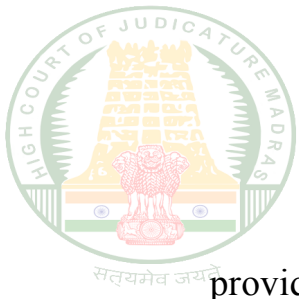
W.P.(MD).No.1750 of 2025

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Interview has been called for and the petitioner also appeared before the District Recruitment Bureau, wherein he was directed to approach the respondents. The petitioner made a representation before the respondents seeking the aforesaid relief. However, the second respondent passed the impugned order dated 03.01.2025 stating that the service of the petitioner's father has not been regularised during his lifetime and hence, compassionate appointment of the petitioner is not applicable to the petitioner.

4. The learned Special Government Pleader appearing for the respondents, by relying upon the counter affidavit filed by the second respondent and the typed set of papers filed by the respondents, submits that the appointment of the petitioner's father is irregular and his service was not regularised. Moreover, the petitioner has applied for compassionate appointment after 14 years of the death of the petitioner's father, which is beyond the period of three years and hence, the impugned order came to be passed.

5. Admittedly, application for compassionate appointment should be made within a period of three years from the date of death of the government employee. However, the petitioner did not apply as aforesaid. The object of



W.P.(MD).No.1750 of 2025

WEB COPY

providing compassionate appointment to mitigate the circumstances arising out of sudden death of a government employee and also to provide immediate support to the dependents of the government employee. The same cannot be treated as vested right. Further, the appointment of the petitioner's father is irregular and his service was also not regularised. In view of the same, question of seeking compassionate appointment does not arise in the present case. Hence, the claim for compassionate appointment cannot be considered and there is no infirmity in the impugned letter issued by the second respondent.

6. In view of the above observations, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.06.2025

NCC : Yes/No
Index : Yes / No
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W.P.(MD).No.1750 of 2025

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W.P.(MD).No.1750 of 2025

VIVEK KUMAR SINGH, J.

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Order made in
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