



WP(MD). No.23011 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD)No.23011 of 2025

P.Pratheeba

... Petitioner

Vs

1. The Registrar of Cooperative Societies,
O/o. the Registrar of Cooperative Societies,
No. 170, N.V.Natrajan Maaligai,
E.V.R. High Road, Kilpauk,
Chennai 600010.
2. The Joint Registrar of Cooperative Societies,
O/o. the Joint Registrar of Cooperative Societies,
Thoothukudi Region, Thoothukudi.
3. The Administrator,
O.961, Thoothukudi District Consumer
Cooperative Wholesale Stores Limited,
Thoothukudi.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order vide ந.க.எண்.



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5434/2023/ விதி நாள் 21.08.2024 passed by the second respondent and quash the same and consequently direct the respondents to provide the petitioner any suitable appointment on compassionate ground in the 0.961, Thoothukudi District Consumer Cooperative Wholesale Stores Limited/third respondent.

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For Respondents : Mr.F.Deepak
Special Government Pleader

ORDER

This writ petition had been filed to call for the records relating to the impugned order vide ந.க.எண். 5434/2023/ விதி நாள் 21.08.2024 passed by the second respondent and quash the same and consequently direct the respondents to provide the petitioner any suitable appointment on compassionate ground in the 0.961, Thoothukudi District Consumer Cooperative Wholesale Stores Limited/third respondent.

2. The petitioner's request for compassionate appointment had been rejected on two grounds. The first ground was that the petitioner's father, who was appointed in the third respondent society had been



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appointed beyond the prescribed age limit. The second ground for rejection was that the service of the petitioner's father had not been regularized in the third respondent society.

3. It is to be noted that the petitioner's father was originally appointed on 15.12.1997 by proceedings of the second respondent herein. Thereafter, by proceedings dated 13.03.1998, the petitioner's father had been allotted to the third respondent society. Therefore, the appointment of the petitioner's father cannot be construed as an appointment beyond the age limit in the third respondent society. For the very same reason, the contention of the respondent that the petitioner's father's appointment had not been regularized also cannot be accepted.

4. The Honourable Division Bench of this Court in W.A.(MD) No. 1198 of 2025 held that a request for compassionate appointment cannot be rejected on the ground that the person in service, on whose death the compassionate appointment is sought has not been regularized.



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5. This Court is of the view that the judgment of the Honourable Division Bench in W.A(MD).No.1198 of 2025 is squarely applicable to the facts of this case. Hence, the impugned order passed by the second respondent in ந.க.எண். 5434/2023/ விதி நாள் 21.08.2024 is set aside and there shall be a direction to the second respondent herein to consider the claim of the petitioner by treating the service of the petitioner's father have been regularized in the third respondent society and to grant him a suitable appointment on the ground of compassionate appointment within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of . No Costs.

04.11.2025

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TO:

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K.KUMARESH BABU, J

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