

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE AMIT RAWAL

WEDNESDAY, THE 31ST DAY OF MARCH 2021 / 10TH CHAITHRA, 1943

WP(C).No.23502 OF 2012(K)

PETITIONER:

PADMAVATHY,  
AGED 31 YEARS,  
W/O.LATE MANOHARAN, MEENKARA POST,  
MUTHALAMADA, PALAKKAD.

BY ADV. SHRI.U.BALAGANGADHARAN

RESPONDENTS:

- 1 DEPUTY DIRECTOR,  
AGED 31 YEARS,  
DAIRY DEVELOPMENT, CIVIL STATION, PALAKKAD-678001.
- 2 MUTHALAMADA (EAST)  
KSHEERA VYAVASAYA CO-OPERATIVE SOCIETY LIMITED  
NO.P4(D), HO MEENKARA JUNCTION POST, GOVINDAPURAM,  
PALAKKAD, REPRESENTED BY ITS SECRETARY-678507.
- 3 THE SECRETARY,  
MUTHALAMADA (EAST) KSHEERA VYAVASAYA CO-OPERATIVE  
SOCIETY LIMITED NO.P4(D), HO MEENKARA JUNCTION POST,  
GOVINDAPURAM, PALAKKAD-678507.
- 4 SHRI MADHAVAN,  
PRESIDENT, MUTHALAMADA (EAST) KSHEERA VYAVASAYA  
CO-OPERATIVE SOCIETY LIMITED NO.P4(D),  
HO MEENKARA JUNCTION POST, GOVINDAPURAM,  
PALAKKAD-678507.
- 5 THE PRESIDENT,  
MUTHALAMADA (EAST) KSHEERA VYAVASAYA CO-OPERATIVE  
SOCIETY LIMITED NO.P4(D), HO MEENKARA JUNCTION POST,  
GOVINDAPURAM, PALAKKAD-678507.

BY ADV. SRI.P.RAMAKRISHNAN  
BY SRI B HARISH KUMAR, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
31.03.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

**Dated this the 31st day of March 2021**

Petitioner is seeking a compassionate appointment on account of the death of her husband, who died in harness. Concededly, the remedy for claiming the relief is provided under Section 69 of the Kerala Co-operative Societies Act. Even otherwise, as per the dictum laid down by this Court in **Association of Milma Officers Vs. State of Kerala (2015 (1) KLT 849)**, the writ petition is not maintainable.

Petitioner is relegated to avail an alternative remedy. In case the petitioner avails the remedy within a period of one month from the date of receipt of a copy of this judgment, the objection qua the limitation would not be taken.

Writ petition stands disposed of.

Sd/-

**AMIT RAWAL**

**JUDGE**

## **APPENDIX**

### **PETITIONER'S/S EXHIBITS:**

EXHIBIT P1	TRUE COPY OF LETTER OF THE 4TH RESPONDENT DATED 6-7-2000
EXHIBIT P2	TRUE COPY OF LETTER OF THE DECEASED MANOHARAN DATED 18-10-2006 TO THE 5TH RESPONDENT
EXHIBIT P3	TRUE COPY OF LETTER OF THE 3RD RESPONDENT DATED 20-12-2006
EXHIBIT P4	TRUE COPY OF DEATH CERTIFICATE OF THE DATED 6-08-2008 ISSUED BY PALAKKAD MUNICIPALITY
EXHIBIT P5	TRUE COPY OF ORDER OF WORKMEN COMPLENSATION COMMISSIONER IN WCC 171/2007 DATED 3-3-2010
EXHIBIT P6	TRUE COPY OF AWARD OF ARBITRATOR IN ARC1/2011 DATED 19-11-2011
EXHIBIT P7	TRUE COPY OF THE LETTER SUBMITTED TO THE THIRD RESPONDENT BY THE PETITIONER DATED 30-08-2010
EXHIBIT P8	TRUE COPY OF THE LETTER SUBMITTED TO THE FIRST RESPONDENT DATED 30-08-2010.
EXHIBIT P9	TRUE COPY OF ORDER OF THE FIRST RESPONDENT NO. C/639/12/DD DATED 24-08- 2012.