

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

WA.No. 2696 of 2009 ()

(AGAINST THE JUDGMENT IN WP(C).NO. 26555/2009 DATED 20-10-2009)

APPELLANT/(PETITIONER IN WRIT PETITION):

**GOPINATHAN, AGED 62 YEARS,
ASST. GRADE-I (DEPOT), (RETIRED),
FOOD CORPORATION OF INDIA, THIRUVANANTHAPURAM,
RESIDING AT T.C 31/504 (2), AMBADI, CHAKAI,
PETTAH.P.O, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.MOHAMMED RAFIQ

RESPONDENT(S)/(RESPONDENTS IN THE WRIT PETITION :

- 1. GENERAL MANAGER,
FOOD CORPORATION OF INDIA, REGIONAL OFFICE,
KESAVADASAPURAM, THIRUVANANTHAPURAM.**
- 2. THE AREA MANAGER, FOOD CORPORATION OF INDIA,
DISTRICT OFFICE, VALIYATHURA, THIRUVANANTHAPURAM.**
- 3. THE EXECUTIVE DIRECTOR (S),
FOOD CORPORATION OF INDIA, ZONAL OFFICE,
HADDOWS ROAD,CHENNAI - 600 006, P.B.X NO. 8276463.**
- 4. THE FOOD CORPORATION OF INDIA,
REPRESENTED BY THE GENERAL MANAGER AND
MANAGING DIRECTOR, NEW DELHI.**

**R1 TO R4 BY ADV.SRI.N.NAGARESH,ASG
SRI.T.P.M.IBRAHIM KHAN,ASST.S.G OF INDIA**

**THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON 05-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

**ASHOK BHUSHAN, Ag.CJ
& A.M.SHAFFIQUE, J.**

W.A.No.2696 of 2009

Dated this the 5th day of January 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

This writ appeal has been filed against the judgment dated 20/10/2009 in W.P.C.No.26555/2009 by which the writ petition was dismissed by the learned Single Judge. Petitioner, who was an ex-employee of Food Corporation of India in the cadre of Assistant Grade-I, attained the age of superannuation on 31/03/2007, had filed the writ petition praying for the following reliefs:

“1) to issue a writ of mandamus or other appropriate writ, direction or order commanding the respondents to grant additional increment due on completion of 8 years as Asst. Grade-II (D) due in the year 1981 and selection grade due in the year 1996 on completion of 12 years in the post of Asst. Grade-I (D) and subsequent monetary benefits due to him with admissible interest forthwith;

2) to issue a writ of mandamus or other appropriate writ, directions or order commanding the respondent to consider and dispose of the Ext.-P1 and

Ext-P6 petitions dated 14-03-2002 and 30-08-2003 forthwith.

3) to issue a writ or certiorari or other appropriate writ or direction or order calling for the records relating to the seniority list during which the petitioner was rendering the post of Asst.Grade-II (Depot) in the year 1981 and Asst.Grade I (Depot) in the year 1996.”

2. On a bare perusal of the reliefs claimed in the writ petition indicates that the petitioner was praying for reliefs based on cause of action which arose during the period 1981-1986. Since the writ petition was filed in 2009, two years after the retirement of the writ petitioner, we do not find any error in the judgment of the learned Single Judge in dismissing the writ petition which was highly belated and barred by delay and latches.

Accordingly, this writ appeal is dismissed.

(sd/-)

**(ASHOK BHUSHAN,
ACTING CHIEF JUSTICE)**

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

