

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

WP(C).No. 14353 of 2009 (L)

PETITIONER:

**MANOJKUMAR.K., 32 YEARS,
S/O.LATE SHRI.P.UNNIKRISHNAN NAMBIAR,
PUTHIYADATH HOUSE, PALAPPURAM,
OTTAPALAM TALUK, PIN-679 103.**

**BY ADVS.SMT.T.D.RAJALAKSHMI
SRI.R.SREEHARI**

RESPONDENTS:

**1. GARDEN REACH SHIPBUILDERS & ENGINEERS LIMITED,
(A GOVERNMENT OF INDIA UNDERTAKING), 43/46,
GARDEN REACH ROAD, CALCUTTA-700 024
REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR.**

**2. THE CHIEF MANAGER (H R ,
GARDEN REACH SHIPBUILDERS & ENGINEERS LIMITED, 43/46
GARDEN REACH ROAD, CALCUTTA-700 024.**

**BY ADVS. SRI.PREMJIT NAGENDRAN
SMT.K.B.SUBHAGAMANI**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1 : COPY OF THE CERTIFICATE DATED 10.04.1973 ISSUED BY THE CHIEF PURCHASE OFFICER OF THE 1ST RESPONDENT.**
- EXHIBIT P2 : COPY OF THE DEATH CERTIFICATE OF THE PETITIONER'S FATHER P. UNNIKRISHNAN NAMBIAR.**
- EXHIBIT P3 : COPY OF THE CERTIFICATE ISSUED BY THE SENIOR ACCOUNTS OFFICE OF THE 1ST RESPONDENT COMPANY EVIDENCING PAYMENT OF RETIREMENT BENEFIT.**
- EXHIBIT P4 : COPY OF THE 3RD PAGE OF THE S.S.L.C. BOOK OF THE PETITIONER.**
- EXHIBIT P5 : COPY OF THE CERTIFICATE ISSUED BY THE MEDICAL BOARD OF DISTRICT HOSPITAL, PALAKKAD.**
- EXHIBIT P6 : COPY OF MARK LIST OF B.COM FINAL DEGREE EXAMINATION OF THE PETITIONER ISSUED BY THE UNIVERSITY OF CALICUT.**
- EXHIBIT P7 : COPY OF THE APPLICATION DATED 27.07.1998 SUBMITTED BEFORE THE 2ND RESPONDENT.**
- EXHIBIT P8 : COPY OF THE LETTER DATED 06.08.2005 SENT BY THE 2ND RESPONDENT.**
- EXHIBIT P9 : COPY OF THE APPLICATION DATED 19.08.2005 SUBMITTED BY THE PETITIONER IN THE FORMAT.**
- EXHIBIT P10 : COPY OF THE REMINDER DATED 10.09.2005 SENT BY THE PETITIONER.**
- EXHIBIT P11 : COPY OF THE REMINDER DATED 31.12.2005 SENT BY THE PETITIONER**
- EXHIBIT P12 : COPY OF THE REMINDER DATED 13.02.2006 SENT BY THE PETITIONER**
- EXHIBIT P13 : COPY OF THE REMINDER DATED 07.07.2006 SENT BY THE PETITIONER**
- EXHIBIT P14 : COPY OF THE REMINDER DATED 04.08.2006 SENT BY THE PETITIONER**

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

PA TO JUDGE

SHAJI P. CHALY, J.

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W.P.(C).No.14353 of 2009

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Dated this the 4th day of August, 2015

JUDGMENT

This writ petition is filed seeking compassionate employment under the 1st respondent company, which is a Government of India undertaking, on the ground that, petitioner was entitled to get employment consequent on the death of his father as per the norms/rules prescribed by the 1st respondent. The 1st respondent is a company and the 2nd respondent is Chief Manager of the 1st respondent company having its office at Kolkatta, out side the territorial jurisdiction of this court and therefore a direction in the nature of mandamus and other writs are not possible. Be that as it may, the respondents have entered appearance and filed counter affidavit also with a prayer that the petitioner was not entitled to invoke the writ jurisdiction of this Court since the respondents are situated out side the territorial jurisdiction of this Court. Therefore I decline to

issue any writ against the respondents. But at the same time, the dismissal of this writ petition may not stand in the way of the petitioner approaching the respondents and seeks suitable remedies, which I hope the respondents may consider taking into account the attendant rules provided for compassionate appointment.

This writ petition is dismissed with the above observations.

SHAJI P. CHALY
JUDGE

skr