

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.35410 of 2015

and W.M.P.No.4627 of 2020

P.Ganesh

... Petitioner

Vs

1.The Executive Director,
South Zonal - Food Corporation of India,
No.3, Haddows Road,
Chennai - 600 006.

2.The General Manager,
Food Corporation of India,
District Office,
No.8, Sathiyamoorthi Salai,
Chetpet, Chennai - 600 031.

3.The Area Manager,
Food Corporation of India,
District Office,
No.8, Sathiyamoorthi Salai,
Chetpet, Chennai - 600 031.

4.The Depot Incharge,
Food Corporation of India,
Food Storage Department,
Avadi, Chennai - 600 072.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 20.01.2013 to provide the employment on the basis of compassionate grounds appointment to the petitioner.

For Petitioner

: Mr.K.Jayaraman

For R1

: Mr.S.Vijayakumar

For R2 & R3

: No appearance

ORDER

This writ petition has been filed for a direction to the respondents 1 to 3 to consider the petitioner's application dated 20.01.2013 and to provide employment to him on compassionate grounds.

2.The case of the petitioner is that his father P.K.Padmanaban was working as Jameddar in the fourth respondent Corporation for more than 23 years. While in service, he died on 09.06.2008. Stating that the petitioner's mother expired on 11.07.2012 and his elder sister was married, the petitioner submitted an application on 20.01.2013 to the third respondent seeking appointment on compassionate grounds, He was called for enquiry on 12.02.2014, in which, all the documents produced by him were verified. However, he was not given any appointment till date. Hence, this writ petition.

3.The learned counsel for the Petitioner submitted that the respondent Corporation provided several employment on compassionate grounds to the similarly placed persons, however, the claim of the petitioner was not considered till date. Hence, the learned counsel sought appropriate direction to the respondent Corporation in this regard.

4.On the other hand, the learned counsel appearing for the first respondent submitted that based on the prevailing rules and guidelines issued by the Ministry, the respondent Corporation considered the cases of compassionate appointments. However, he fairly submitted that the respondent Corporation would consider the petitioner's application, if not already considered, and pass appropriate orders, on merits, within a time frame to be stipulated by this Court.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondents 1 to 3 to consider the petitioner's application dated 20.01.2013, if not already considered, and pass appropriate orders, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6.This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mtl

To

- 1.The Executive Director,
South Zonal - Food Corporation of India,
No.3, Haddows Road, Chennai - 600 006.
- 2.The General Manager,
Food Corporation of India,
District Office, No.8, Sathiyamoorthi Salai,
Chetpet, Chennai - 600 031.
- 3.The Area Manager,
Food Corporation of India,
District Office, No.8, Sathiyamoorthi Salai,
Chetpet, Chennai - 600 031.

+1cc to Mr.S. VIJAYAKUMAR, Advocate, S.R.No.6455

JP11(CO)
SM/26/02/2021

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and
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