



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2021

CORAM:

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

W.P. (MD)No.8000 of 2016

Central Warehousing Corporation
Retired Officials Welfare Association,
34/1, Thiruvallur Street,
Ayappa Nagar, K.K.Nagar Post,
Trichy620 021
rep. by its General Secretary,
N.Subramanian, S/o. Natesen

.. Petitioner

Vs

1.The Government of India,
Rep. by its Secretary,
Department of Food and Public Distribution,
Ministry of Consumer Affairs, Food Public Distribution,
Krishi Bhawan,
New Delhi-110 001.

2.The Chairman,
Central Warehousing Corporation,
Corporate Office,
No.4/1, Siri Institutional Area,
August Kranti Marg., Kaus Khan,
New Delhi-110 016.

3. The Managing Director,
Central Warehousing Corporation,
Corporate Office,
No.4/1, Siri Institutional Area,
August Kranti Marg., Kaus Khan,
New Delhi-110 016.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to implement by extending the Benevolent Fund scheme with effect from 01.04.1989 to 27.04.2011 by amending the circular issued by the third respondent corporation on vide circular No.CWC-IRO-BF/2011 dated 28.04.2011 and to release the benevolent funds the quantum of Assistance Memento maximum ceiling amount Rs.20,000/- and Rs.10,000/- with interest in the rolls of CWC as on 01.04.1989 to



27.04.2011 based on representation dated 30.09.2015 submitted by the petitioner Association within the time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

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For Respondents : Mr.P.Subbiah
Central Government Standing Counsel

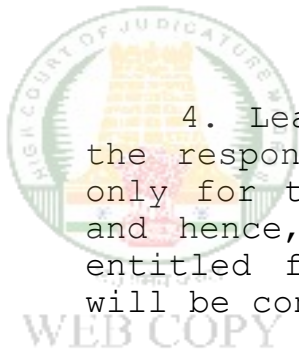
O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

This petition has been filed, seeking to direct the respondents to implement the Benevolent Fund scheme with effect from 01.04.1989 to 27.04.2011 by amending the circular issued by the third respondent corporation vide circular No.CWC-IRO-BF/2011 dated 28.04.2011 and to release the benevolent funds the quantum of Assistance Memento maximum ceiling amount Rs.20,000/- and Rs.10,000/- with interest in the rolls of CWC as on 01.04.1989 to 27.04.2011 based on representation dated 30.09.2015 submitted by the petitioner Association within the time frame to be fixed by this Court.

2. The case of the petitioner is that the petitioner Association is a registered Association having Registration No.72/2011, established for protecting the interest of its members, who are serving and retired employees of Central Warehousing Corporation (CWC), which is a Central Government undertaking. All the retired employees, who are the members of the petitioner Association are entitled for the benefit of benevolent welfare scheme, however, as per circular in No.CWC-IRO-BF/2011 dated 28.04.2011, it is only applicable for those, who are on Rolls on 28.04.2011 and the said benefit was not extended to the members of the petitioner Association, who are retired prior to 28.04.2011. Subsequently, the Trustees of Employees Benevolent Fund had decided, in their meeting held on 18.02.2011, that to implement various welfare schemes for its employees as indicated in the above said circular dated 28.04.2011, with immediate effect and to extend the said welfare schemes to the retired employees, who are retired from service prior to 28.04.2011. In order to avail such benefits, the petitioner Association made a representation dated 04.09.2015, but there is no response from them till date. Hence, this writ petition has been filed for the above said prayer.

3. Learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 30.09.2015 is disposed of by the respondents at the earliest.



4. Learned Central Government Standing Counsel appearing for the respondents would submit that the said circular is applicable only for the members, who are in service as on date on 28.04.2011 and hence, the members, who retired before the said date is not entitled for the said benefit. However, the petitioner's request will be considered in accordance with law.

5. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the third respondent to consider the representation dated 30.09.2015, submitted by the petitioner and to pass appropriate orders thereon on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, if there is no legal impediments to do so.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary,
Government of India,
Department of Food and Public Distribution,
Ministry of Consumer Affairs, Food Public Distribution,
Krishi Bhawan,
New Delhi-110 001.

2. The Chairman,
Central Warehousing Corporation,
Corporate Office,
No.4/1, Siri Institutional Area,
August Kranti Marg., Kaus Khan,
New Delhi-110 016.



3. The Managing Director,
Central Warehousing Corporation,
Corporate Office,
No.4/1, Siri Institutional Area,
August Kranti Marg., Kauz Khan,
New Delhi-110 016.

+1 CC to Mr.T.CHANDRA SEKARAN, Advocate (SR-6633[F] dated 23/02/2021)

+1 CC to Mr.P.SUBBIAH, Advocate (SR-6629[F] dated 23/02/2021)

**W.P. (MD) .No.8000 of 2016
23.02.2021**

VB (17.03.2021) 4P 6C