



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.9331 of 2014

K.Kokilavani

... Petitioner

Vs.

The Food Corporation of India,
Represented by its Executive Director (South),
No.3, Haddows Road, Chennai - 600 006.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, to call for the records on the file of the respondent in Proc.No.RPI/32(4)/2013 and dated 14.11.2013 and quash the same as arbitrary, illegal, unsustainable in law and on facts and consequently direct the respondent to offer employment to the petitioner under Category IV/ Group D post.

For Petitioner : Mr.AR.M.Arunachalam

For Respondent : Mr.M.Imthias

ORDER

The order of rejection rejecting the claim of the writ petitioner on compassionate appointment is challenged in the present writ petition.

2. The petitioner is the wife of the deceased employee, who was employed in the respondent Food Corporation of India. The husband of the writ petitioner was working as a driver and died on 06.11.1999 while he was in service. On account of the sudden death of the husband of the writ petitioner, the family was in penurious circumstances and therefore, submitted an application seeking appointment on compassionate ground on 19.06.2000.

3. The said application was not considered during the relevant point of time. The petitioner has also not pursued the application vigilantly and this Court passed an order dated 22.08.2013 in W.P.No.23347 of 2013 and directed the respondent



therein to consider the application and pass appropriate orders. Pursuant to the said directions, the impugned order dated 14.11.2013 was issued rejecting the claim of the writ petitioner on the ground that the petitioner has not stated her educational qualifications correctly.

4. Beyond the reasons stated in the impugned order, this Court is of the considered opinion that even at the time of filing of this writ petition the petitioner was 48 years old and now she is about 56 year of age. Under these circumstances, the petitioner is not only over aged in performing work as servant, in the event of considering the petitioner for appointment in the respondent corporation. On account of the fact that the petitioner is over aged and further she had not pursued her claim vigilantly during the relevant point of time. It is slept over for long time and thereafter woke up and approached this Court.

5. With these observations, this writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Ab/Jeni

To
The Executive Director (South),
The Food Corporation of India,
No.3, Haddows Road, Chennai - 600 006.

+2ccs to Mr.M.Imthias, Advocate, S.R.No.33936
+1cc to Mr.AR.M.Arunachalam , Advocate, S.R.No.34005

W.P.No.9331 of 2014

PMK[co]
NSK/20/06/2022