



W.P.No.6713 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2024

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.6713 of 2016

D. Suresh Kumar

... Petitioner

Vs.

The General Manager (Tamil Nadu)

Food Corporation of India,

Regional Office

No.8, Sathyamurthy Street,

Chennai 600 031.

... Respondent

PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus directing the General Manager (Tamil Nadu), Food Corporation of India, Regional Office, Chennai – 31, the respondent herein to consider the representation of the petitioner dated 18.01.2016 and to initiate appropriate action.

For Petitioner : Mr.J.Thilagaraj

For Respondents : Mr.S.Vijayakumar

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the General Manager (Tamil Nadu), Food Corporation of India,



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Regional Office, Chennai – 31, the respondent herein to consider the representation of the petitioner dated 18.01.2016 and to initiate appropriate action.

2. The petitioner was working as a Watchman in Food Corporation of India. His wife died on 10.05.2000 and the petitioner was committed in a criminal case S.C.No.51 of 2001 on the file of the Magalir Needhi Mandram, Chennai and on 29.01.2004 he was convicted for the offences under Section 498-A and 306 IPC. Later the petitioner was acquitted in the criminal case in CrI.A.No.153 of 2004 on 24.10.2010, which was also confirmed by the Hon'ble Supreme Court on 01.12.2015. Thereafter, the petitioner submitted a representation dated 18.12.2016 to the respondent to treat the entire period he was out of service as “Duty period” and to accord him all the attendant benefits including all monetary benefits. Since there was no response, the petitioner was constrained to file the above writ petition.

3. When the matter was taken up for hearing on 27.08.2024, the learned counsel appearing for the respondent sought time to get instructions with regard to the status of the representation of the petitioner. Today, when the



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matter is taken up for hearing, the learned counsel for the respondent submits that the representation of the petitioner dated 18.12.2016 is still pending with the respondent and so a direction may be issued to the respondent to dispose of the representation of the petitioner within a time frame to be fixed by the Court.

4. In view of the submission made by the learned counsel for the respondent, this Court without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 18.12.2016 on merits and in accordance with law by affording an opportunity of personal hearing to the petitioner and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that, if the petitioner, does not appear before the respondent for personal hearing on the specified date fixed by the respondent, orders shall be passed by the respondent in the absence of the petitioner.

5. This Writ Petition is disposed of with the above direction. No costs.

02.09.2024

dpq



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Index : Yes /No

Speaking Order : Yes/No

N. MALA, J.

dpq

To

The General Manager (Tamil Nadu)
Food Corporation of India,
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No.8, Sathyamurthy Street,
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