



WP(MD) No.17778 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.17778 of 2024

K.Selvam

... Petitioner

Vs.

1.The General Manager,
Food Corporation of India,
Regional Office,
No.8, Sathyamurthy Road,
Chetpet,
Chennai – 600 031.

2.The Executive Director (South),
Food Corporation of India,
Zonal Office,
No.3, Haddows Road,
Nungambakkam,
Chennai – 600 006.

3.The Area Manager,
Food Corporation of India,
District Office,
Sathyamurthy Road,
Chetpet,
Chennai – 600 031.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to appoint Watchman in the Food Corporation of India, Chennai under compassionate appointment and consider the application 08.12.2022.

For Petitioner : Mr.A.Vadivel

For Respondents : Mr.M.Kumar

ORDER

The present writ petition has been filed seeking for a direction to the respondents to appoint Watchman in the Food Corporation of India, Chennai, under compassionate appointment and consider the application 08.12.2022.

2. Heard Mr.A.Vadivel, learned counsel appearing for the petitioner and Mr.M.Kumar, learned counsel appearing for the respondents.



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3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner's father, who was working as a Department Labour under the third respondent, died in harness on 26.05.1982. The petitioner's mother is said to have given an application seeking compassionate appointment for herself within three years from the date of death of her husband. Now, the petitioner has also filed his application on 08.12.2022. Seeking for consideration of the same, this writ petition has been filed.

5. On perusal of the records, it is seen from the communication of the respondent dated 25.08.1988, that the petitioner's mother has applied seeking for compassionate appointment for herself at the first instance, ie., within three years from the date of death of her husband and later, she has approached the respondents seeking for compassionate appointment for her son, who is the petitioner herein. It is also stated in the said communication that at present they were not appointing the



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dependants of deceased workers. The petitioner's mother did not choose to challenge the said communication dated 25.08.1988, despite it has been served upon her. Further, the petitioner had filed his application only on 08.12.2022, ie., after a period of 40 years from the date of death of his father.

6. The petitioner refers to the document dated 24.05.1982, which according to the petitioner, is an appointment order given to one Dhanalakshmi, who is also claimed to be the dependent of the deceased employee. The document dated 24.05.1982 is not an appointment order. In the document dated 24.05.1982, there is nothing stated about the appointment. It is a communication stating that in the interview, it is found that the son of the deceased on whose behalf the application was filed is a minor and therefore, a representation was directed to be submitted seeking for a job, after attaining the age of 18 years. Therefore, the petitioner's claim that similiary placed person as that of the petitioner has got appointment is rejected.



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7. In that view of the matter, this writ petition is not maintainable and is dismissed accordingly. No costs.

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Index : Yes / No
NCC : Yes / No



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R.N.MANJULA, J.

sm

Order made in
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