



W.P.No.18121 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.18121 of 2017

and

W.M.P.Nos.19662 & 19663 of 2017

E.Ramadoss

... Petitioner

Vs.

1.The General Manager,
Food Corporation of India, Zonal Office (South),
No.3, Haddows Road,
Chennai – 600 006.

2.The Deputy General Manager (PER),
Food Corporation of India, Zonal Office (South),
No.3, Haddows Road,
Chennai – 600 006.

3.The Deputy General Manager (R),
Food Corporation of India, Regional Office,
No.8, Sathyamurthy Road, Chetpet,
Chennai – 600 031.

4.The Assistant General Manager (PG),
Food Corporation of India, Regional Office,
No.8, Sathyamurthy Road, Chetpet,
Chennai – 600 031.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, by calling for entire records in respect of the impugned proceedings 1) Proceedings No.37(1)/Grievance Portal/TN/2014 dated 13.03.2017 of the fourth respondent, 2) Proceedings Lr.No.Estt.39/Pension/Misc/RO.CHE/2016 dated 08.05.2017 of third respondent and 3) Proceedings No.Estt/39/TN/ZO/16/PC dated 24.05.2017 of the Second respondent and to quash the same and consequently directing the respondents to grant enhanced revised pension in accordance with law.

For Petitioner : Mr.B.Harikrishnan

For Respondents : Mr.M.Imthias

ORDER

The petitioner, who is an Ex-serviceman, has come forward with this writ petition seeking to pay enhanced pension on par with similarly placed other employees.

2. The petitioner joined the Indian Army on 30.03.1965 and he served till 14.05.1976. It is the case of the petitioner that he fought two wars in 1965 and 1971 and he was also awarded medals in recognition of



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his bravery and commitment. Subsequently, he was discharged from Indian Army on 14.05.1976 on medical grounds and he was paid discharged pension. Thereafter, on 19.05.1976, the petitioner was employed in the Food Corporation of India as Assistant Grade III (Depot) based on the employment exchange sponsor. He served in FCI for 28 years and three months and retired on 01.09.2004. It is the grievance of the petitioner that he was denied many promotions and he was not given dual pension like other pension re-employment in Central Civil Services. He has preferred several representations to the authorities of the FCI; however his requests were not favourably considered, which has given rise to the filing of this writ petition.

3. The respondents/FCI filed a detailed counter affidavit, wherein it was mentioned that the petitioner was appointed as Assistant Grade III (Depot) purely on daily rate basis sponsored through employment exchange. He was subsequently promoted as Assistant Grade II (Depot) on 19.12.1989 and disciplinary proceedings were initiated against him vide memo dated 04.11.1995 on the allegation of giving wrong declaration and for applying part final withdrawal of CPF by using CPF



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slip of another person with the same name. The charges against the petitioner stood proved and he was awarded a penalty and withholding of three increments with cumulative effect and debarring from promotion for a period of three years. The respondents have also stated that pension was paid to the petitioner as per Employees Pension Scheme, 1995, which was formulated by the Government of India. They have also stated that medical bills claimed by the petitioner after his retirement was also settled in favour of the petitioner. The respondents, therefore contended that no injustice was done to the petitioner in the matter of awarding pension and therefore, the writ petition has to be rejected.

4. Heard both sides and perused the materials available on record.

5. Though the petitioner has raised several contentions in the petition, that he was denied promotion and he was not paid pension on par with other employees, the petitioner has conveniently failed to mention about the disciplinary proceedings initiated against him and the penalty he has suffered. The petitioner had used the CPF slip of another person by the same name and had withdrawn part final of CPF.



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Moreover, as rightly pointed out by the respondents in their counter affidavit that the petitioner was paid pension as per Employees Pension Scheme, 1995, which was formulated by the Government of India, the FCI has no role in fixing the pension for any individual employee. The respondents have to follow the rules formulated by the Government of India. The petitioner has not stated anything in the affidavit or through arguments as to how his pension fixation is wrong. Likewise, the respondents have also mentioned that even after the retirement of the petitioner, the medical bills claims by him were settled. Therefore, this Court is of the view that the grievance expressed by the petitioner cannot be considered by this Court as the petitioner has not highlighted any illegality or error on the part of the respondents in fixing his pension or denying promotion to him. Indeed, the petitioner suppressed the fact that he had faced disciplinary action and suffered punishment. Being a retired serviceman, it is only proper on his part to have come out with the entire truth. Indeed, the petitioner has impersonated another person and withdrawn the rightful dues of another person. However, the respondents have taken a lenient view of the matter and converted the major penalty into a minor penalty. This Court takes a serious view of the misconduct



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committed by the petitioner. Therefore, the writ petition is liable to be dismissed.

6. Accordingly, this Writ Petition is dismissed. No costs.
Consequently, the connected miscellaneous petitions are closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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M.DHANDAPANI, J.

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