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W.P No. 11018 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2026

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 11018 of 2017

K.Krishnamurthy

..Petitioner

Vs

1.Food Corporation of India
Rep by its Executive Director (South)
Zonal Office
No.3, Haddows Road,
Chennai-600006.

2.The General Manager,
Food Corporation of India
Regional Office
No. 8, Mayor Sathyamurthy Road
Chetpet, Chennai-600031.

..Respondents

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider and promote him to the post of Manager (Depot) on and from 31.12.2010 when his immediate junior was promoted in the said post with all consequential monetary benefits and fix his seniority in the post of Manager (D) on that basis, pay all attendant benefits and by restoring his seniority just above his immediate junior, who got promoted to the post of Manager (Depot) on 31.12.2010 and pass such further or other orders.

For Petitioner : Mr. Balan Haridas

For Respondents : Mr.R.Thirunavukarasu

ORDER



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The captioned writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to promote the petitioner to the post of Manager (Depot) with effect from 31.12.2010, the date on which his immediate junior was promoted to the said post, together with all consequential and attendant benefits.

2. The petitioner, while working as Assistant Grade-I (Depot), was promoted to the post of Manager (Depot) on a regular basis vide Office Order dated 31.12.2010 issued by the first respondent. However, the said promotion was not given effect on the ground that a request had been made to the State Level Scrutiny Committee for verification of the genuineness of the community certificate issued to the petitioner.

3. Mr. Balan Haridas, learned counsel for the petitioner, submitted that the request made by the respondent-Corporation to verify the genuineness of the community certificate was examined by the State Level Scrutiny Committee, which, in turn, directed the Revenue Divisional Officer, Dharmapuri, to verify the veracity of the community certificate. The Revenue Divisional Officer communicated to both the State Level Scrutiny Committee and the respondent-Corporation that the community certificate issued to the petitioner is genuine. Therefore, once the competent authority has certified the



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genuineness of the community certificate, the petitioner is entitled to promotion to the post of Manager (Depot) with effect from 31.12.2010.

4. Per contra, Mr. R. Thirunavukarasu, learned counsel for the respondents, submitted that though a request was made to the State Level Scrutiny Committee for validation of the certificate, the Committee itself had not conducted any enquiry to conclusively establish whether the petitioner belongs to the Kurumans Scheduled Tribe community. Hence, in the absence of such an enquiry by the State Level Scrutiny Committee, the petitioner is not entitled to promotion to the post of Manager (Depot) with effect from 31.12.2010.

5. The submissions advanced by the learned counsel for the parties and the materials placed on record have been carefully considered.

6. In the counter affidavit, the respondent has taken a categorical stand that the petitioner must establish his status as belonging to the Kurumans Scheduled Tribe community before the State Level Scrutiny Committee. In this regard, a letter dated 28.03.2025 issued by the Additional Secretary to Government/Chairman, State Level Scrutiny Committee, refers to the communication of the respondent-Corporation as Reference No.3, which sought verification of the petitioner's community certificate and a report on its



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genuineness. Pursuant thereto, the State Level Scrutiny Committee directed the District Collector, Dharmapuri, to verify the genuineness of the community certificate.

7. In compliance with the said direction, the District Collector, Dharmapuri, by letter dated 30.04.2025, informed the respondent-Corporation as well as the State Level Scrutiny Committee that, upon due verification, enquiry, and scrutiny of records, the petitioner belongs to the Kurumans Scheduled Tribe community. Based on the said report, the Assistant General Manager of the respondent-Corporation addressed a letter dated 15.05.2025 to the first respondent requesting removal of the petitioner's name from the Scheduled Tribe Community Dispute case list. The communications issued by the State Level Scrutiny Committee and the District Collector, Dharmapuri, thus clearly establish that the community certificate issued in favour of the petitioner is genuine and not false.

8. It is not in dispute that the petitioner was subsequently promoted to the post of Manager (Depot) under the General category with effect from 28.12.2012. In the above circumstances, the petitioner is entitled to notional promotion to the post of Manager (Depot) with effect from 31.12.2010.

9. Accordingly, the following order is passed;



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- i. The writ petition is allowed.
- ii. The respondents are directed to grant notional promotion to the petitioner to the post of Manager (Depot) with effect from 31.12.2010 and restore his seniority from the said date, together with all attendant benefits, but without arrears of salary.
- iii. The above exercise shall be completed within a period of two (2) months from the date of receipt of a copy of this order.
- iv. There shall be no order as to costs.

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Index : Yes
Internet : Yes
Neutral Citation : Yes/No

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HEMANT CHANDANGOUDAR, J.

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