



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2015

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

THE HONOURABLE DR.JUSTICE S.TAMILVANAN

W.P. (MD) .No.18001 of 2014

WEB COPY

1.M.S.Soundararaj
2.S.Prammanayaham
3.A.Shanmuga Sundram
4.R.Rajendran
5.R.Ellango

: Petitioners

Vs.

1.Union of India,
Rep. by its
Secretary to Government,
Minister of Railway,
Railway Bhawan,
New Delhi-110 001.

2.The Chairman,
Railway Board,
Rail Nivas,
New Delhi.

3.The General Manager,
Southern Railway,
Park-Town,
Chennai-3.

4.The Controller of Stores,
Southern Railways,
Ayyanavaram,
Perambur,
Chennai-23.

5.Deputy Controller of Stores,
Southern Railway,
Golden Rock,
Trichy-4.

6.The Chief Personnel Officer,
Head Quarters Office,
Personnel Branch,
Ayyanavaram,
Chennai-23.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's applications dated 08.04.2012 in the light of the order passed in Review Application No.14 of 2012 in W.P.(MD)No.14459



of 2008 and to give first preference to the petitioners in the appointment to the post of store KHALASI in Group "D" Category if respondent proceed with further selection process for the recruitment of store KHALASI.

WEB COPY

For Petitioners : No Appearance

For Respondents : Mr.S.Manohar

O R D E R

[Order of the Court was made by The Hon'ble The Chief Justice]

Learned counsel for the respondents has referred to the Full Bench Judgment of this Court in Govt.of Tamil Nadu etc., and two others, Vs.Hepzi Vimalabai [1994 9 LW 399], wherein the reference has been answered as under:-

"40.Thus, we answer the questions referred to us as follows:-

"a). Recruitment to any Civil Service of the State or to any civil post under the State would exclusively fall within the provisions of S.15(1(a) of the Administrative Tribunals Act, 1985, and the same would be outside the purview of a petition under Art.226 of the Constitution of India.

b). The second question viz., 'whether the recruitment by interview is justified in law' was not rightly argued before us, for, this is a matter which has to be decided by the 'Forum' constituted under the Administrative Tribunals Act, 1985.

2. The petitioner seeks appointment to the post of Store Khalasi in Group "D" Category and thus, his submission is that the jurisdiction vests with the Central Administrative Tribunal.

3. The aforesaid question was posed even earlier and there is no satisfactory answer to the same.

4. We, thus, dispose of the Writ Petition with liberty to approach the Central Administrative Tribunal. No costs.

Sd/-

Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Secretary to Government,
Union of India, Minister of Railway,
Railway Bhawan,
New Delhi-110 001.



2.The Chairman,
Railway Board,
Rail Nivas, New Delhi.

3.The General Manager,
Southern Railway, Park-Town,
Chennai-3.

4.The Controller of Stores,
Southern Railways,
Ayyanavaram, Perambur,
Chennai-23.

5.The Deputy Controller of Stores,
Southern Railway,
Golden Rock, Trichy-4.

6.The Chief Personnel Officer,
Head Quarters Office,
Personnel Branch,
Ayyanavaram, Chennai-23.

+1cc to Mr.S.Manohar, Advocate, SR.No.5656

ORDER MADE IN
W.P. (MD) .No.18001 of 2014
06.02.2015

NB
PA/19.02.15/3P/8C