

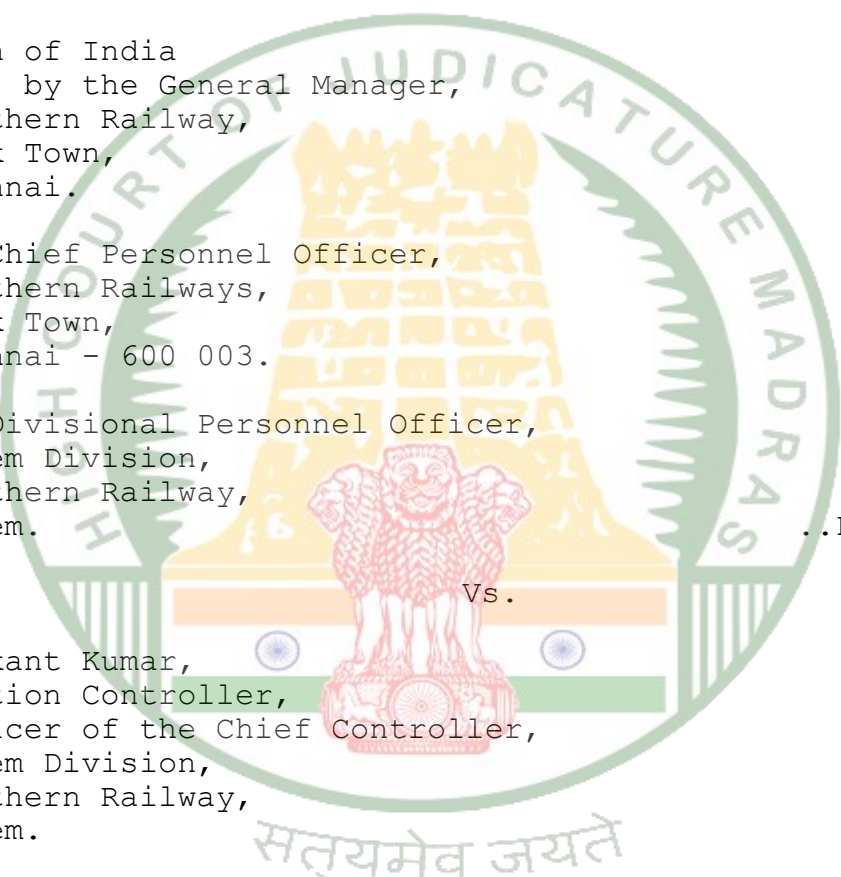
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH  
AND  
THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.14377 of 2016  
and WMP.No.12568 of 2016

- 
1. Union of India  
rep. by the General Manager,  
Southern Railway,  
Park Town,  
Chennai.
2. The Chief Personnel Officer,  
Southern Railways,  
Park Town,  
Chennai - 600 003.
3. The Divisional Personnel Officer,  
Salem Division,  
Southern Railway,  
Salem. ...Petitioners
- Vs.
1. Harikant Kumar,  
Section Controller,  
Officer of the Chief Controller,  
Salem Division,  
Southern Railway,  
Salem.
2. The Registrar,  
Central Administrative Tribunal  
Chennai. ...Respondents
- सत्यमेव जयते

Writ Petition filed under Section 226 of the Constitution of India praying to issue a writ of Certiorari to call for the records on the file of the 2nd respondent in O.A.No.310/00135/2015 dated 21.12.2015 and quash the same.

For petitioners : Mrs.V. Bhavani Subbaroyan

O R D E R

(Order of the Court was made by K.RAVICHANDRABAABU, J.)

This Writ Petition is filed by the Union of India and others challenging the order passed by the Tribunal in O.A.No.310/2015 dated 21.12.2015.

2. The first respondent herein as the applicant before the Tribunal sought for grant of benefit of higher fixation of pay when he was selected for promotion to the post of Section Controller from the post of Station Master. The Tribunal, after taking note of the fact that the similarly situated persons have earlier filed O.A.No.717/2006 and obtained an order in their favour which order came to be upheld by this Court in W.P.No.30151/2007 dated 25.02.2010 followed by the order passed by the Honourable Supreme Court in SLP(Civil) No.CC12847/2010 dated 30.08.2010, found that the present case is also squarely covered by the ratio laid down in the aforesaid order.

3. Learned Standing Counsel appearing for the petitioners though sought to contend that the order of the Tribunal is not justified on the grounds raised in the present writ petition, however, fairly submitted that the similarly situated persons have been benefited by the earlier order passed in O.A.No.717/2006 dated 22.06.2007 which came to be upheld by this Court and not interfered with by the Supreme Court.

4. Therefore, we find that the order passed by the Tribunal does not warrant any interference as the said order came to be passed only by following the earlier order passed in the case of similarly situated persons which also attained its finality.

5. Accordingly, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

सत्यमेव जयते

Sd/-  
Asst.Registrar (CS VI )

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Sub Asst. Registrar

vsi

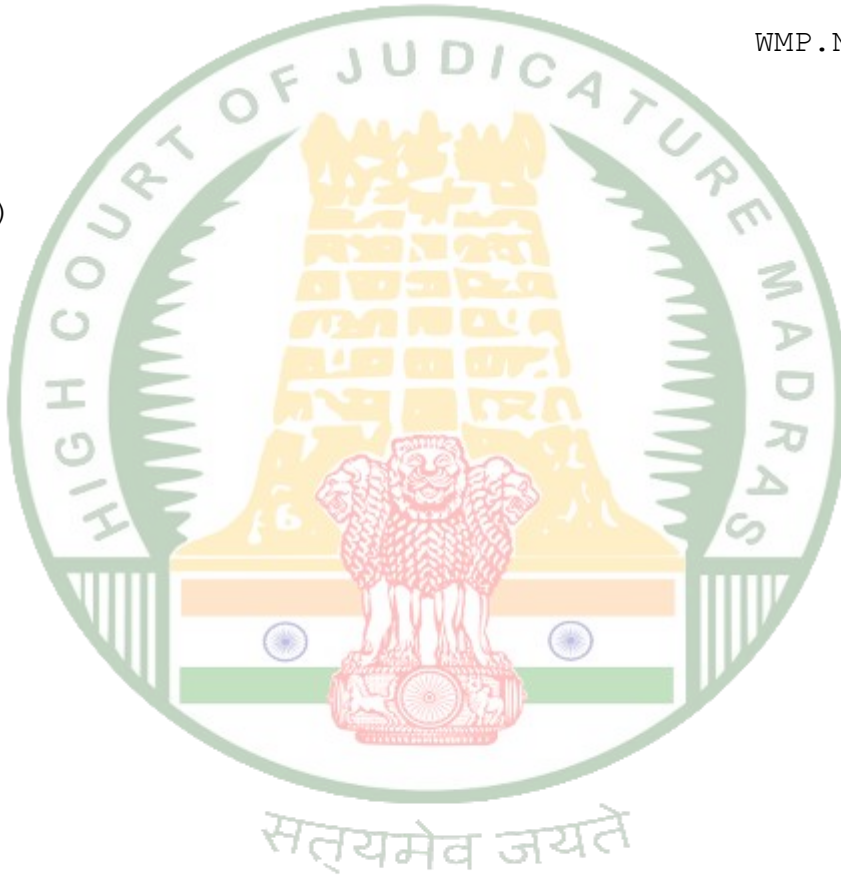
To

The Registrar,  
Central Administrative Tribunal  
Chennai.

1 cc to M/s.V. Bhavani Subbarayan, Advocate, Sr. 25077

W.P.No.14377 of 2016  
and  
WMP.No.12568 of 2016

PPA (CO)  
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