

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2016

CORAM:

THE HON'BLE MR.JUSTICE A.SELVAM  
AND  
THE HON'BLE MR.JUSTICE P.KALAIYARASAN

Writ Petn.No.21404 of 2016

1.The General Manager,  
Southern Railway,  
Park Town, Chennai.

2.The Divisional Railway Manager,  
Tiruchirapalli Division,  
Southern Railways,  
Tiruchirapalli.

3. The Senior Divisional Personnel Officer,  
Tiruchirapalli Division, Southern Railway,  
Tiruchirapalli

...Petitioners

1.U.Shankar,

2.The Registrar,  
Central Administrative Tribunal,  
Chennai.

vs.

..Respondents

WRIT Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of certiorari, calling for the records on the file of the 2nd respondent in O.A.No.310/01673/2014, dated 28.1.2016 and quash the same.

For Petitioners : Ms.V.Bhavani Subbaroyan  
For Respondents : Ms.S.Saravana Prakash for R1

ORDER

(Order of the Court was delivered by  
A.SELVAM, J)

This writ petition has been directed against the order, dated 28.1.2016, passed in O.A.No.310/01673/2014, by the Central Administrative Tribunal, Madras Bench.

2. The first respondent herein, as applicant, has filed O.A.No.310/01673/2014, on the file of the Central Administrative Tribunal, Madras Bench, praying to re-fix his pay from the date of his promotion, wherein, the present petitioners have been shown as respondents.

3. The Central Administrative Tribunal, Madras Bench, after considering the order passed earlier in similar Original Application, has allowed O.A.No. 310/01673/2014 by way of passing the impugned order and the same is being challenged in the present writ petition.

4. The learned counsel appearing for the petitioners/respondents has conceded to the effect that similar issue has already been decided in the previous proceedings and even in W.P.No.2748 of 2016, a Division Bench of this Court has accepted the view taken by the Central Administrative Tribunal, Madras Bench and therefore, the present writ petition is liable to be disposed of.

5. It is seen from the records that the first respondent/applicant has filed Original Application No.310/01673/2014, on the file of the Central Administrative Tribunal, Madras Bench, with a specific prayer to give necessary direction to the petitioners/respondents to re-fix his pay from the date of his promotion. The Central Administrative Tribunal has allowed the Original Application No.310/01673/2014

6. As rightly pointed out on the side of the petitioners/respondents, similar issue has been dealt with in W.P.No.2748 of 2016, whereby, the Division Bench of this Court has confirmed the order passed by the Central Administrative Tribunal. Therefore, it is quite clear that the first respondent/applicant is entitled to get re-fixation of his pay from the date of his promotion. Under the said circumstances, this writ petition is totally unwarranted and the same is liable to be dismissed.

In fine, this writ petition is dismissed without cost. The order passed in O.A.No.310/01673/2014, by the Central Administrative Tribunal, Madras Bench, is confirmed.

msk

Sd/-  
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Registrar,  
The Central Administrative Tribunal,  
Madras Bench, Chennai-600 104.

2. The General Manager,  
Southern Railway,  
Park Town, Chennai.

3. The Divisional Railway Manager,  
Tiruchirapalli Division,  
Southern Railways,  
Tiruchirapalli.

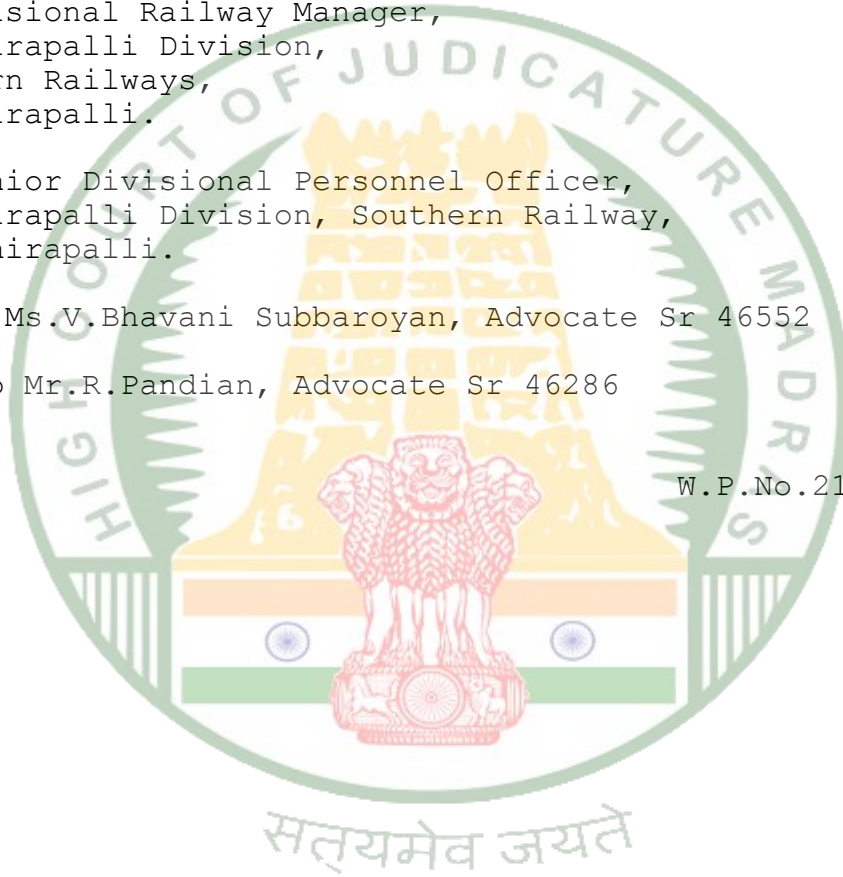
4. The Senior Divisional Personnel Officer,  
Tiruchirapalli Division, Southern Railway,  
Tiruchirapalli.

+ 1 cc to Ms.V.Bhavani Subbaroyan, Advocate Sr 46552

+ 2 ccs to Mr.R.Pandian, Advocate Sr 46286

KR/9/9/16

W.P.No.21404 of 2016



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