

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P.No.39629 of 2016
and
WMP No.33909 of 2016

P.Moorthy

.. Petitioner

versus

1. Union of India,
Rep. by its Secretary,
Ministry of Labour,
Govt. of India,
Sharm Shakti Bhavan,
Rafiq Marg, New Delhi - 110 001.

2. The Director,
Central Board of Workers Education,
North Ambazari Road,
Nagpur - 440 033.

3. The Zonal Director (South Zone),
Central Board for Workers Education,
Garment Complex,
Thiru.Vi.Ka. Industrial Estate,
Guindy, Chennai - 600 032.

4. The Regional Director,
Central Board for Workers Education,
11, 2nd Floor,
Arul Malar Convent Road,
K.K.Nagar, Madurai - 620 020.

5. The Registrar,
Central Administrative Tribunal,
Madras Bench,
High Court Buildings,
Chennai - 600 104.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of certiorari, calling for the records in respect the impugned order passed by 5th respondent herein the Central Administrative Tribunal in O.A.No.310/01457/2016 dated 21.10.2016 and quash the same.

For Petitioner : Mr.P.Wesley Isaac
for Mr.I.Paul Nobel Devakumar

ORDER

(Order of the Court was made by S.MANIKUMAR, J.)

Challenge in this writ petition is to an order made in O.A.No.310/01457/2016 dated 21.10.2016, by the Central Administrative Tribunal, Madras Bench, declining to quash the order dated 06.09.2016 passed by the Regional Director, National Board for Workers Education and Development, Ministry of Labour and Employment, Government of India, transferring the petitioner, Education Officer (SG) from SRC/Trichy (DTNBWE&D, Madurai) to the office of the Regional Directorate, to DTNBWE&D, Kochi. However, having regard to the submission of the learned counsel for the petitioner, made at the time of passing of the order in OA.No.310/01457/2016 dated 21.10.2016, that there is a vacancy at Madurai, and that the writ petitioner could be considered, the tribunal, vide order dated 21.10.2016 in O.A.No.310/01457/2016, has observed that if the respondents wish to reconsider his posting based on the above information, they shall be at liberty to do so.

2. Though, the tribunal has granted liberty to the respondents to consider the abovesaid aspect, at the time of hearing of the instant writ petition, Mr.P.Wesley Isaac, learned counsel for the writ petitioner submitted that so far, no orders have been passed on the abovesaid observation and directions, but the writ petitioner has been directed to report at Kochi.

3. Notice in the instant writ petition to the respondents is dispensed with as no orders adverse to the interest of the respondents is passed, except to direct that the observations and directions of the tribunal be complied with, by passing an order, taking into consideration the representation of the petitioner dated 01.11.2016, said to have been acknowledged. Said exercise be done as expeditiously as possible and not later than ten days from the date of receipt of a copy of this order. Though the writ petition does not pertain to salary, the further grievance of the petitioner that he has not been paid salary for the month September onwards, may also be considered.

4. With the above directions, the writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

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To

1. Secretary,
Union of India,
Ministry of Labour, Govt. of India,
Sharm Shakti Bhavan,
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+ 2 ccs to M/s. I. Paul Noble Devakumar, Advocate
SR,65728, 66016

सत्यमेव जयते

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RSI (CO)
EU 16.11.16

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