

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2017

CORAM

THE HONOURABLE Mr.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN

W.P.No.8727 of 2017
and
W.M.P.No.9576 of 2017

- 1.Union of India,
rep. by the Secretary to Government
Government of Union Territory of Puducherry,
Puducherry.
- 2.The Superintending Engineer - I,
Electricity Department,
Government of Puducherry,
Puducherry. Petitioners

Vs.

- 1.Kumaraguru
- 2.The Central Administrative Tribunal,
Rep.by the Registrar,
High Court Campus,
Madras Bench, Chennai. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records pertaining to the Order passed in O.A.No.310/00767/15 dated 06.04.2017 on the file of the Central Administrative Tribunal, Madras Bench and quash the same.

For Petitioners : Mr.R.Syed Mustafa

For R1 : Mr.D.Bharatha Chakravarthy

O R D E R

K.K.SASIDHARAN, J.

The failure on the part of the petitioners to file reply statement made the Central Administrative Tribunal to direct the Secretary to Government, Government of Union Territory of Puducherry, to appear on 12.04.2017. The order is under challenge in this writ petition.

2. Heard the learned Special Government Pleader on behalf of the petitioners. We have also heard Mr.D.Bharatha Chakravarthy, learned counsel appearing on behalf of the first respondent.

3. The petitioners have taken up a contention that they were not served with the material papers either by the counsel for the parties or by the Tribunal and that was the reason for the delay in filing the reply statement. The petitioners have already filed reply statement

4. In view of the contention taken by the petitioners that they were not served with material papers, the Tribunal ought to have given sufficient time to the Government to file reply statement, instead of directing the Secretary to appear in person. We are therefore of the view that the impugned order is liable to be set aside.

5. In the result, the order dated 6 April, 2017 is set aside.

6. In the up shot, we allow the writ petition. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

The Registrar,
Central Administrative Tribunal,
Chennai - 600 104.

+1cc to the Government Pleader, S.R.No.40894

W.P.No.8727 of 2017

SKS (CO)
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