

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2017

CORAM:

THE HON'BLE MR.JUSTICE **K.K.SASIDHARAN**
AND
THE HON'BLE MR.JUSTICE **V.PARTHIBAN**

W.P.No.3804 of 2015 and
M.P.No.1 of 2015

N.K.S.Brahaspathy

...Petitioner

vs.

1.Union of India,
Represented by Secretary to Government,
Ministry of Health and Family Welfare
Nirman Bhawan
New Delhi 110 001

2.The Indian Council of Medical Research
Rep. by its Director General
Ansari Nagar, New Delhi 110 029

3.The Director,
National Institute of Epidemiology
Indian Council of Medical Research
Ayapakkam, Chennai - 600 077.

4.Central Administrative Tribunal
Rep. by its Registrar,
Madras Bench, Chennai - 600 104.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified mandamus, calling for the records relating to the order of the 4th respondent dated 28.10.2014 in O.A.No.449 of 2013 and R.A.No.56 of 2014 in O.A.No.449 of 2013 dated 04.12.2014, quash the same and consequently direct the 3rd respondent herein to grant the 2nd financial upgradation in the Grade Pay of Rs.5400.

For Petitioner : Mr.C.Vigneswaran

For Respondents : Mr.M.T.Arunan for R2 and R3

ORDER

(delivered by **V.PARTHIBAN,J.**)

The learned counsel appearing for the petitioner, after arguing the matter for some time seeks withdrawal of the writ petition with liberty to approach the authorities concerned for fresh consideration of his case on merits and in accordance with law. He has also made an endorsement to that effect.

2. In view of the endorsement so made, the writ petition is dismissed as withdrawn. The petitioner is given three weeks' time to submit his representation before the authorities concerned, along with materials available to him in support of his claim, if any. It is for the

concerned authorities to dispose of the representation on merits and as per law, as expeditiously as possible, and in any case, within a period of three months from the date of receipt of such representation. No costs. Consequently, connected miscellaneous petition is closed.

(K.K.S.,J.) (V.P.N.,J.)

11 January 2017

svki

To

- 1.The Secretary to Government,
Union of India,
Ministry of Health and Family Welfare
Nirman Bhawan
New Delhi 110 001
- 2.The Director General
The Indian Council of Medical Research
Ansari Nagar, New Delhi 110 029
- 3.The Director,
National Institute of Epidemiology
Indian Council of Medical Research
Ayapakkam, Chennai - 600 077.
- 4.The Registrar,
Central Administrative Tribunal
Madras Bench, Chennai - 600 104.

K.K.SASIDHARAN,J.
and
V.PARTHIBAN,J.

(svki)

W.P.No.3804 of 2015

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