

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. No.28235 of 2016
AND
W.M.P. No.24380 of 2016

1. The Secretary,
Ministry of Science and Technology,
Technology Bhavan,
New Mehrauli Road,
New Delhi - 110 016.
2. The Director General,
Council of Scientific and
Industrial Research (CSIR),
Anusandhan Bhavan,
2, Rafi Marg,
New Delhi - 110 001.
3. The Director,
CSIR-Central Leather Research
Institute, Adyar,
Chennai - 600 020. ... Petitioners

Vs.

1. The Central Administrative Tribunal,
Represented by its Registrar,
City Civil Court Building,
High Court, Chennai - 600 104.
2. Dr.L.Suguna
3. The Chairperson,
National Commission for Women,
No.4,Deen Dayal Upadhyaya Marg.
New Delhi - 110 002.
4. Dr.A.B.Mandal,
CSIR-Central Leather Research
Institute Adyar,
Chennai - 600 020. ... Respondents

Prayer: Writ petition filed under Article 226 of the constitution of India to issue a writ of certiorari calling for the records relating to the order passed by the first respondent made in O.A. No.310/00 096/2016 dated 22.01.2016 and quash the Same.

For Petitioners : Mr.T.Ravikumar

For Second

Respondent : Mr.T.Easwaradhas

ORDER

K.K.SASIDHARAN, J

This writ petition is directed against the order dated 22 January 2016 in O.A.No.96 of 2016 allowing the original application without even granting time to the petitioners to file reply statement.

2. The second respondent filed the original application in O.A. No. 96 of 2016 to direct the petitioners herein to set up a complaint committee and conduct enquiry based on her series of complaints against the fifth respondent in the Original Application, who is the fourth respondent herein.

3. The Tribunal even without giving reasonable opportunity to the petitioners to file reply statement or issuing notice to the fourth respondent, allowed the original application. Being aggrieved, the petitioners have come up with this writ petition.

4. We have heard the learned counsel for the petitioners and heard the learned counsel for the second respondent.

5. The original application in O.A. No.96 of 2016 was filed on 18 January 2016. The matter came up for admission before the Tribunal on 22 January 2016. Before the Tribunal, the learned counsel for the petitioners made a request to grant them reasonable time to file reply statement. However, the Tribunal proceeded to take up the matter and issued positive direction to the petitioners.

6. The second respondent preferred a complaint against the fourth respondent. Her request was to take action against the fourth respondent after constituting the complaint committee. The Tribunal ought to have issued notice to the fourth respondent before deciding the merits of the matter. Similarly, the Tribunal ought to have given sufficient time to the petitioners to file reply statement. There was no need to decide a matter of this nature during the time of admission itself, without giving sufficient opportunity to the respondents in the

original application to file reply statement. We are, therefore, of the view that the impugned order is liable to be set aside.

7. In the result, the impugned order dated 22 January 2016 is set aside. The original application in O.A. No. 96 of 2016 is restored to file. The petitioners are given three weeks time to file reply statement. The Tribunal is requested to dispose of the original application as expeditiously as possible and in any case, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. The writ petition is allowed to the limited extent indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar

gms/maya

To

1. The Registrar,
Central Administrative Tribunal,
City Civil Court Building,
High Court, Chennai - 600 104.
2. The Chairperson,
National Commission for Women,
No.4, Deen Dayal Upadhyaya Marg.
New Delhi - 110 002.

+1cc to Mr.T. Ravikumar, Advocate Sr. 24243

+1cc to Mr.T. Easwaradhas, Advocate Sr. 24399

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NMI (CO)

VR(5/5/2017)