



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD) No.18703 of 2017

A.Nishanth George ... Petitioner

-vs-

1.The Chief Personnel Officer,
Southern Railway,
Chennai-600 003.

2.The Chief Medical Director,
Southern Railway,
Chennai.

3.The Divisional Personnel Manager,
Divisional Office,
Personnel Branch,
Southern Railway,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to comply with the order dated 24.03.2017 made in O.A.No.310/01126/2016 on the file of the Central Administrative Tribunal, Madras forthwith and consequently appoint the petitioner in any post in CEE ONE and below as per the letter dated 12.12.2013 issued by the 3rd respondent.

For Petitioner	:	Mr.C.Muthusaravanan
For Respondents	:	Mr.S.Manohar
		For R1 to R3

O R D E R

The petitioner has come up with the present writ petition seeking issuance of Writ of Mandamus directing the third respondent to comply with the order, dated 24.03.2017 made in O.A.No.310/01126/2016.



2. Heard Mr.C.Muthusaravanan, learned counsel appearing for the petitioner and Mr.S.Manohar, learned counsel appearing for the respondents and perused the materials available on record.

3. It is not in dispute that the petitioner has applied for the post of B-1 Trackman and attended the written exam held on 19.11.2011. He was also declared as a successful candidate on 13.02.2012. Since he was not given job, the petitioner approached the Central Administrative Tribunal by filing O.A.310/01073/2014 and the Tribunal by an order, dated 01.04.2016 directed the respondents to consider the petitioner's case for appointment of CEE ONE and below category. Due to non-implementing the order, Second application in O.A.No.310/01126/2016 was filed to consider the appointment of the petitioner. The Tribunal has allowed the original application with a direction to the respondents to consider the petitioner for the post according to the Medical Fitness i.e., CEE ONE and below, positively.

4. The grievance of the petitioner is that despite issuance of positive direction by the Central Administrative Tribunal, the petitioner is not appointed so far.

5. In the light of the above facts and the limited scope of prayer sought for in the writ petition, without going into the merits of the case, this Court directs the third respondent to implement the order passed in O.A.No.310/01126/2016, dated 24.03.2017 as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Chief Personnel Officer,
Southern Railway, Chennai-600 003.

2. The Chief Medical Director,
Southern Railway, Chennai.

3. The Divisional Personnel Manager,
Divisional Office, Personnel Branch,
Southern Railway, Madurai.

+One cc to Mr.C.Muthu Saravanan, Advocate, SR.No.87125

+One cc to Mr.S.Manohar, Advocate, SR.No.87220

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RL/6C/2P/SKN/RSK/SAR1/30/11/2017

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