

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Twenty Seventh day of March Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE HULUVADI G. RAMESH

and

THE HON`BLE MR JUSTICE RMT. TEEKAA RAMAN

WMP No.8045 of 2018

in WP.No.848 of 2018

J.JANAKIRAMAN,

[PETITIONER]

Vs

1 UNION OF INDIA,
REP. BY THE POSTMASTER GENERAL, CENTRAL
REGION(TN), DEPARTMENT OF POSTS,
TIRUCHIRAPALLI-620 001.

[RESPONDENTS]

2 UNION OF INDIA REP. BY
SENIOR SUPERINTENDENT OF POST OFFICES,
DEPARTMENT OF POSTS, TIRUCHIRAPALLI DIVISION,
TIRUCHIRAPALLI 620 001.

3 THE CENTRAL ADMINSTRATIVE
TRIBUNAL, REP. BY ITS REGISTRAR, MADRAS
BENCH, CHENNAI-600 104.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an Interim Direction, directing the Writ Petition to release terminal benefits including Pension to the 2nd Respondent in the Writ Petition immediately together with interest at the rate of 12% per annum, (in WMP.No.8045/2018) pending disposal of the above WP.No.848/2018.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.N.G.R.PRASAD for M/S.SRINIVASAMOORTHY, for M/S.ROW AND REDDY, Advocate for the petitioner and of M/S.C.V.RAMACHANDRAMOORTHY, Advocate for the respondents the court made the following order:-

ORDER
(Order of the Court was made by
HULUVADI G.RAMESH, J.)

It is stated in the affidavit filed in support of this petition that the petitioner was working as Postmaster Grade I in Mela Kalkandarkottai Post Office in Tiruchirappalli between 01.07.2011 and 20.06.2015. On 25.02.2013, a cover was received by him from the Regional Passport Office, Tiruchirappalli containing a passport addressed to one N.Rajiv Gandhi. Since the addressee was not residing in the address mentioned in the passport cover, the concerned postman made an endorsement "No such addressee". As per the Rules and Regulations, passport should be delivered to the person only in the address mentioned in the cover and not otherwise. In compliance with the rules, subsequently the recipient of the passport got the address corrected in the passport to where he actually resides and thereafter the passport was delivered to him on 29.07.2013.

2.In this connection, a memorandum dated 30.09.2013 was issued to the petitioner alleging that the petitioner did not supervise properly by delivering the passport to the recipient, even though he is not residing in the address mentioned in the passport. Challenging the same, an original application has been filed before the Central Administrative Tribunal and the same was allowed on 06.09.2016. Challenging the same, the present writ petition has been filed by the Department.

3.W.M.P.No.8045 of 2018 has been filed for a direction to release the terminal benefits including pension with interest at the rate of 12% per annum, to the second respondent herein, pending disposal of the above writ petition.

4.Considering the facts and circumstances, this Court deems it fit to direct the second respondent herein to release the gratuity to the petitioner, as applicable to him, within a period of two weeks from the date of receipt of a copy of this order.

5.This petition is ordered accordingly. Post the writ petition after two weeks.

-sd/-
27/03/2018

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE POSTMASTER GENERAL,
CENTRAL REGION(TN), UNION OF INDIA,
DEPARTMENT OF POSTS, TIRUCHIRAPALLI-620 001.

2 THE SENIOR SUPERINTNDET OF
POST OFFICES, UNION OF INDIA, DEPARTMENT OF
POSTS, TIRUCHIRAPPALLLI DIVISION,
TIRUCHIRAPPALLI-620 104.

3 THE REGISTRAR,
THE CENTRAL ADMINISITRATIVE TRIBUNAL,
MADRAS BENCH, CHENNAI-600 104.

C.C. to M/S.ROW AND REDDY Advocate, Sr.No.3978.

C.C. to M/S.C.V.RAMACHANDRAMOORTHY, Advocate, on payment of
necessary charges.

Order

in
WMP.8045/2018

in
WP.848/2018

Date :27/03/2018

From 26.2.2001 the Registry is issuing certified
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KP(06/04/2018)