

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2018

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.5048 of 2017

and WMP.No.5338 of 2017

S.Sadhana

.. Petitioner

-vs-

1.The Union of India,
rep. by the Chairman,
Ordnance Factory Board,
Ministry of Defence,
Ayudh Bhawan,
10A, Saheed Khydiram Bose Road,
Kolkata - 700 001.

2.The General Manager,
Ordnance Factory,
A unit of Ordnance Factory Board,
Indian Ordnance Factories,
Ministry of Defence,
Trichy - 620 016.

3.The Central Administrative Tribunal,
Madras Bench,
rep. by its Registrar,
High Court Buildings,
Chennai - 600 104.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the third respondent in O.A.No.660 of 2015, dated 16.12.2016 upholding the order of the order of the second respondent in No.7150/DR (Teachers)/Estt, dated 24.04.2015 and quash the same and direct the respondents 1 and 2 to appoint the petitioner in the post of Primary Teacher in Ordnance Factory High School, Trichy under

the OBC category with all consequential benefits.

For Petitioner : Mr.P.Mohan Raj

For Respondent : Mr.V.Balasubramanian
for respondents 1 & 2

ORDER

(Order of the Court made by The Hon'ble Chief Justice)

The petitioner applied for the post of Primary Teacher. As the petitioner was not selected, she preferred O.A.No.660 of 2015 before the Central Administrative Tribunal, Madras Bench, Chennai. The said O.A. was disposed of by an order dated 16.12.2016. By the said order, the respondents 1 and 2 were directed to re-consider the case of the applicant (present petitioner) for appointment to the post of Primary Teacher in the light of the Letter No.06/2/DR/2012-13/A/NI, dated 01.10.2013 and pass a reasoned and speaking order within a period of four weeks from the date of receipt of a copy of the order. It is an admitted fact that thereafter, the respondents 1 and 2 have considered the case of the petitioner. However, the case of the petitioner was rejected by the second respondent by an order dated 06.2.2017, hence, this writ petition.

2. In our opinion, against the order of rejection dated 06.2.2017 passed by the second respondent, the petitioner cannot directly approach this Court and she has to approach the Central Administrative Tribunal. In this view of the matter, we are not inclined to interfere with the order impugned in this writ petition. The petitioner is relegated to the remedy of approaching the Central Administrative Tribunal against the order of rejection dated 06.2.2017.

3. In view of the above, no case is made out for interference and the writ petition is dismissed. No costs. Consequently, W.M.P.No.5338 of 2017 is closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

1.The Chairman,
Ordnance Factory Board,
Ministry of Defence,
Ayudh Bhawan,
10A, Saheed Khydiram Bose Road,
Kolkata - 700 001.

2.The General Manager,
Ordnance Factory,
A unit of Ordnance Factory Board,
Indian Ordnance Factories,
Ministry of Defence,
Trichy - 620 016.

3 .The Registrar,
Central Administrative Tribunal,
Madras Bench,
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Chennai - 600 104.

+1cc to Mr.V. Balasubramanian, Advocate SR.No.59534

W.P.No.5048 of 2017

GMV (07/09/2018)



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