

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.3.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.Nos.639 to 642 of 2018
and

C.M.P.Nos.7041 to 7044 of 2018

- 1 The Managing Director
Chennai Metro Rail Ltd.
Admin Building CMRL Depot
Poonamallee High Road Koyambedu
Chennai-600 107
- 2 The General Manager-Human Resources
Chennai Metro Rail Ltd.
Admin Building CMRL Depot
Poonamallee High Road Koyambedu
Chennai-600 107
- 3 The Manager-Human Resources
Chennai Metro Rail Ltd.
Harini Towers
No.7 Conron Smith Road
Gopalapuram Chennai-600 086 Appellants in all the appeals

Versus

Greeswaran	R1 in WA 639 of 2018
G.Sriprabu	R1 in WA 640 of 2018
L.Surendhiran	R1 in WA 641 of 2018
G.Gnana Prakash	R1 in WA 642 of 2018

The Chairman
Secretary to Government of India
Ministry of Urban Development
Chennai Metro Rail Ltd.(CMRL)
Fort St. George Chennai-600 009 R2 in all the
appeals

Common Prayer: Writ Appeals filed filed under Clause 15 of the
Letters Patent against the order dated 18.8.2017 passed in
W.P.Nos.1297, 4383, 4384 and 7273 of 2017 on the file of this
court.

Common Prayer in WP.1297/17,WP.4383/17,WP.4384/17 AND WP.NO.7273/17:

Writ Petition filed Under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 3rd respondent to issue appointment order to the petitioner for the post of Junior Engineer grade II No.ADV.T. No.CMRL/HR/06/2016 eventhough the same is of a lower grade than the post of Station Controller/ Train Operator/ Jr.Engineer (Station) - Post Code -01 notified in the notification No.Advt.No.CMRL/HR/01/2013 for which the petitioner are already selected.

For appellants : Mr.Jayesh B.Dolia

For respondent : Ms.Subashini for
Chennai Law Associates

COMMON JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellants and Ms.Subashini, learned counsel, who takes notice for the respective first respondents/writ petitioners.

2. In respect of a similarly placed person, the appellants had filed W.A.No.615 of 2018 and this court had passed the following judgment:-

"Pursuant to the order passed by the learned single Judge in W.P.No.31492 of 2016 dated 02.01.2017, an appeal was filed in W.A.No.401 of 2017. The said writ appeal was disposed of on 17.04.2017 giving liberty to the appellants to seek clarification or review of the order passed by the learned single Judge. Accordingly a review application was filed in Review Application No.129 of 2017 to review the order passed in the said writ petition. The said review application was taken up along with two other similar review applications and the same were allowed by passing a common order dated 18.08.2017. The operation portion of the order reads as follows:

"8.In the light of the fact that the respondents / writ petitioners have no objection for restoration of the cancellation Notification dated 23.08.2016 as well as the employment Notification in Advt.No.CMRL/ HR/06/2016 dated 23.08.2016, these review applications are allowed with the following directions:

(i) Paragraph No.17(i) of the common order dated

02.01.2017 made in W.P.Nos.15196, 15197, 31491, 31492 and 31550 of 2016 insofar as the impugned Cancellation Notification dated 23.08.2016 and consequential employment notification dated 23.08.2016 is recalled and both stand restored.

(ii)The applicants / official respondents in the writ petitions, in the light of the stand taken in Ground(D) of the Review Application, is directed to draw the merit list as per the above said notification/ advertisement dated 23.08.2016 insofar as the respondents / writ petitioners are concerned and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the writ petitioners. No costs."

2.The present writ appeal has been filed challenging the order passed in respect of Rev.Appl.No.129 of 2017 in W.P.No.31492 of 2017.

3.The learned single Judge has discussed the matter in detail and has passed the order allowing the review applications, in the light of the fact that the writ petitioners have no objection for restoration of the cancellation notification and employment notification. In the considered opinion of this Court, there is no scope for any interference of the said order. If at all any clarification is required in the order passed in the review application, liberty is given to the appellants to seek clarification of the said order passed by the learned single Judge, requesting the Registry to post the matter under the caption "for being mentioned".

4.The writ appeal is disposed of accordingly. No costs. Consequently the connected miscellaneous petition is closed."

3. It appears that pursuant to the above judgment, the appellants had filed application before the learned Single Judge seeking certain clarification. Therefore, in these cases also, it is for the appellants to file appropriate application before the learned Single Judge seeking clarification. With the above observation, these writ appeals are disposed of. No costs. The connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

ssk.

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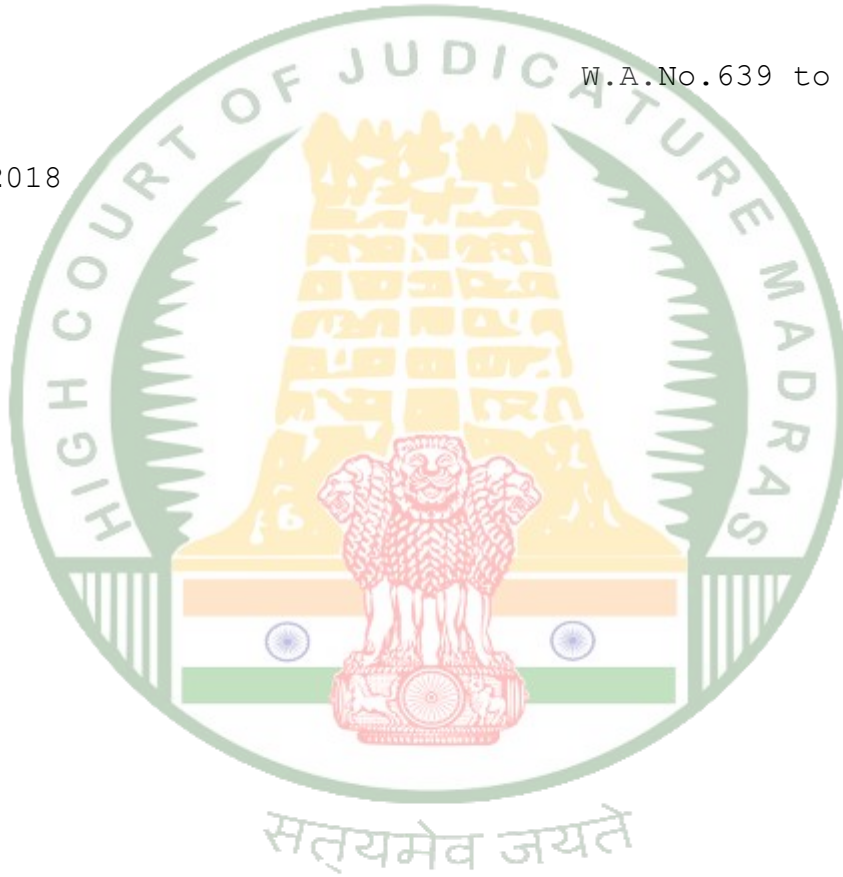
1. The Chairman
Secretary to Government of India
Ministry of Urban Development
Chennai Metro Rail Ltd.(CMRL)
Fort St. George Chennai-600 009

+ 1 cc to Mr.Jayesh B.Dolia Advocate,SR.23243

+ 1 cc to Ms.Subashini Advocate,SR.23740

W.A.No.639 to 642 of 2018

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