

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.A.Nos.734 and 735/2018 and
CMP.Nos.7046 and 7047 of 2018

W.A.No.734 of 2018

- 1.The Managing Director,
Chennai Metro Rail Limited,
Admin Building, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai-600 107.
- 2.The General Manager - Human Resources,
Chennai Metro Rail Limited,
Admin Building, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai-600 107.
- 3.The Manager-Human Resources,
Chennai Metro Rail Limited,
Harini Towers, No.7, Cornon Smith Road,
Gopalapuram, Chennai-600 086. ... Appellants

vs.

1.P.Sriram

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

W.A.No.735 of 2018

- 1.The General Manager - Human Resources,
Chennai Metro Rail Limited,
Admin Building, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai-600 107.

2.The Manager-Human Resources,
Chennai Metro Rail Limited,
Admin Building, CMRL Depot,
Poonamalle High Road,
Koyambedu, Chennai-600 107.

.. Appellants

vs.

1.Syed Sulaiman,
2.K.Dasprakash
3.R.Jeganathan
4.R.Vijayaprasad
5.R.Karthik
6.P.Ranjith Kumar
7.T.Rajesh
8.G.Pannerselvam
9.S.Anand
10.Ahamed Umar Mukthar
11.S.Tamil Selvan
12.M.Prabu
13.S.Kanagaraj
14.T.Udayapandian
15.R.Kumar
16.B.Pravin Kumar
17.K.Raja
18.M.Mohammed Ali Jinna
19.M.Alaguraja
20.M.Ashok Kumar
21.V.Sakthi Narayanan
22.P.Prakash Kumar
23.P.Srinivasan
24.B.Vignesh
25.K.Umashankar
26.B.Simbu

.. Respondents

WA.NO.734/2018 AND WA.NO.735/2018:

Writ Appeal filed under Clause 15 of the letter patent to set aside the order dated 18.08.2017 in Review Application 128/2017 and 130/2017 in WP.Nos.31491 and 31550/2016 in so far as directing the Appellants/Official respondents to draw merit list as per advertisement CMRL/HR/06/2016 Dated 24.08.2016.

Prayer in Rev.Appl.No.128 of 2017: Review Application filed under Order 47 Rule 1 C.P.C. read with 114 C.P.C. to review the order dated 02.01.2017 made in W.P.No.31491 of 2016 and restore

the cancellation notification dated 23.08.2016 in respect of Post Code-02 and Post Code-03 and Advertisement No.CMRL/HR/06/2016 dated 24.08.2016.

WP.No.31491/16: Writ Petitions filed praying for issuance of a Writ of Certiorarified Mandamus Calling for the records pertaining to the impugned cancellation notification dt 23.8.2016 and the consequential Advertisement No. CMRL/HR/06/2016 for the posts of Junior Engineer Grade II published by the respondents and signed by the 3rd respondent and quash the same and consequently direct the 3rd respondent to issue appointment order to the petitioner who was already selected for the Post Code - 01 Station Controller/Train Operator/Jr. Engineer (Station)-as per the selection list published by the 3rd respondent during July 2013.

Prayer in Rev.Appl.No.130 of 2017: Review Application filed under Order 47 Rule 1 C.P.C. read with 114 C.P.C. to review the order dated 02.01.2017 made in W.P.No.31550 of 2016 and restore the cancellation notification dated 23.08.2016 in respect of Post Code-02 and Post Code-03 and Advertisement No.CMRL/HR/06/2016 dated 24.08.2016.

WP.No.31550/16:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified Mandamus Calling for records relating to the 1st respondent proceedings Nil. dated 23.08.2016 and that the consequential Notification in Advt. No. CMRL/HR/06/2016 dated 24.08.2016 to quash the same and to consequently direct he respondents to appoint the petitioners who have been selected as per the Notification / Advertisement No. CMRL/HR/01/2013 dated 19.01.2013 and to extend all benefits.

For Appellants :: Mr.Jayes B Dolia
in both W.As.
For Respondents :: Ms.Subashini
in both Appeals
for Chennai
Law Associates for all

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COMMON JUDGMENT

(Judgment of the Court was pronounced by HULUVADI G.RAMESH, J.)

The Writ Appeals are directed against a Common Order dated 15.04.2014 made in Review Application Nos.128 to 130/2017 by a learned Single Judge.

2. Heard both sides. We have also perused the materials available on record carefully.

3. At the outset, in an identical circumstance, this Court, while disposing of the Writ Appeal in W.A.No.615 of 2018 dated 21.3.2018 has observed as follows in paragraph 3 which is extracted here under :

'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. Following the same, these Writ Appeals are also disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The Managing Director,
Chennai Metro Rail Limited,
Admin Building, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai-600 107.

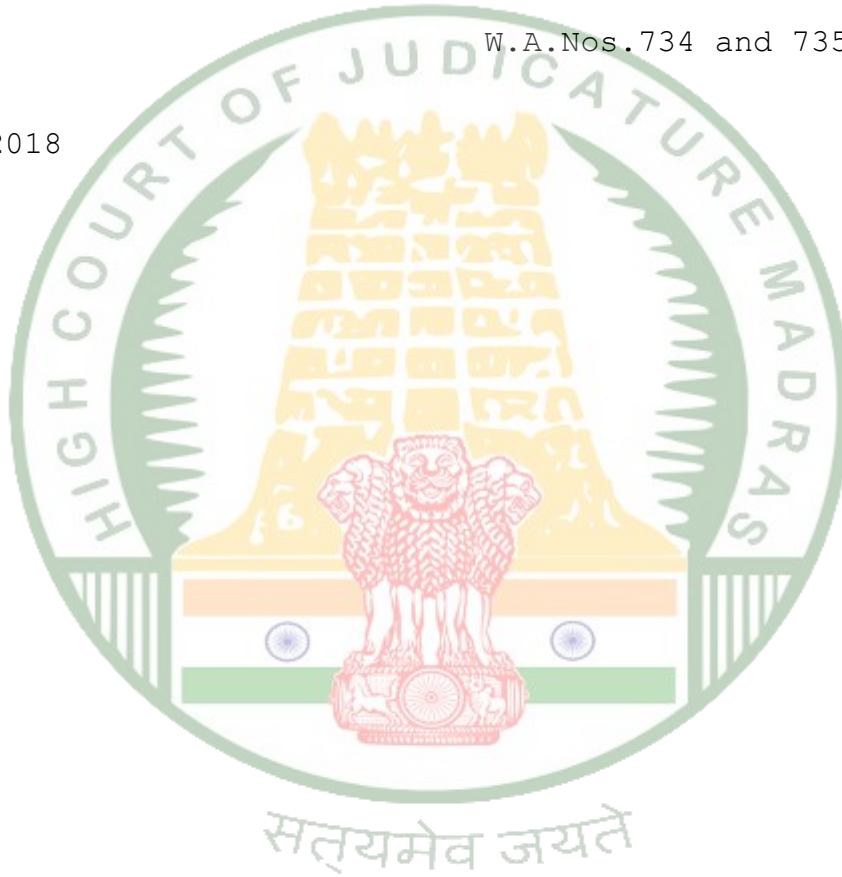
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W.A.Nos.734 and 735/2016

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