

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice KRISHNAN RAMASAMY

W.P.No.221 of 2018
and
W.M.P. No.295 of 2018

- 1.The Union of India
rep. by the General Manager,
Southern Railway,
Park Town, Chennai - 3.
- 2.Divisional Personnel Officer,
Southern Railway,
Divisional Office,
Personnel Branch, Salem.
- 3.Assistant Personnel Officer,
Southern Railway,
Divisional Office,
Personnel Branch, Salem.

...Petitioners

Vs

- 1.The Registrar,
Central Administrative Tribunal,
Chennai Bench, Chennai - 104.

- 2.S.Jayasankar .. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorari calling for the records of the impugned order dated 13.01.2017 made in O.A.No.122 of 2015 on the file of the first respondent herein and quash the same.

For Petitioners .. Mr.C.V.Ramachandramurthy

For Respondents .. Mr.V.Raghavachari for R2
R1 - Tribunal

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Challenging the order of the first respondent dated 13.01.2017 made in O.A.No.122 of 2015, the present writ petition has been filed.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the second respondent.

3.When the matter is taken up for hearing, learned counsel appearing for the parties would submit that considering the very same issue, the writ petition filed in W.P.No.3544 of 2018 was disposed of by order dated 01.08.2018 and therefore, the very same order may be passed in the present writ petition.

4.In the aforesaid order, following is the observation made by this Court:

"5.Considering the facts and circumstances of the case, we are of the considered opinion that it is for the Department to consider the case of the second respondent herein and pass appropriate orders based upon the law laid down by the Hon'ble Supreme Court in the case of State of Punjab and Others Vs. Rafiq Masih (White Washer) etc., in C.A.No.11527 of 2014 dated 18.12.2014, in response to their representation which was directed to be submitted by the Tribunal in its order.

6.With the above observation, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

5.Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Registrar,
Central Administrative Tribunal,
Chennai Bench, Chennai - 104.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.77289

+1cc to Mr.Chandra Murthy, Advocate, S.R.No.77646

W.P.No.221 of 2018

SSV(CO)
GSP(11/12/2018)



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