

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2018

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.26944 of 2015

V.Sathiyaseelan

.. Petitioner

-vs-

1.The Union of India,  
rep. by The Chief Engineer (R&D),  
Picket, Secunderabad,  
Pincode - 500 003.

2.The Garrison Engineer (1) (R&D),  
Military Engineer Services,  
Avadi, Chennai - 600 054.

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

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for connected records pertaining to the passing of the order dated 6.6.2014 in O.A.No.1175 of 2013 on the file of the third respondent and quash the same and consequently direct the second respondent to consider the petitioner for compassionate appointment.

For Petitioner : Mr.C.Balasundar

For Respondents : Mr.J.Madhanagopal Rao  
SCGSC  
for respondents 1 and 2

R3 : Tribunal

ORDER

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

Heard the learned counsel for the petitioner and the learned Senior Central Government Standing Counsel for the respondents 1 and 2.

2. The petitioner has filed this writ petition against the order dated 06.6.2014 passed by the Central Administrative Tribunal, Madras Bench, Chennai in O.A.No.1175 of 2013 preferred by the petitioner. By the order dated 06.6.2014, the O.A. preferred by the petitioner challenging the order of rejection of the request of petitioner seeking compassionate appointment came to be dismissed.

3. On going through the order dated 06.6.2014 of the Central Administrative Tribunal in O.A.No.1175 of 2013, it is seen that no one was representing the petitioner on the date i.e. on 06.6.2014, when the O.A. came to be dismissed. In this view of the matter, looking into the facts of the case, we are of the opinion that in the interest of justice, the order dated 06.6.2014 passed in O.A.No.1175 of 2013 ought to be set aside and the petitioner be allowed an opportunity to represent his case before the Central Administrative Tribunal.

4. Accordingly, the order dated 06.6.2013 passed in O.A.No.1175 of 2013 is set aside and the matter is remitted to the Central Administrative Tribunal, Madras Bench, Chennai, which, after hearing the learned counsel for both sides shall dispose of O.A.No.1175 of 2013 in accordance with law as expeditiously as possible.

5. The writ petition is disposed of in terms aforesaid. No costs.

s/d-  
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

bbr

To

1.The Chief Engineer (R&D),  
Picket, Secunderabad,  
Pincode - 500 003.

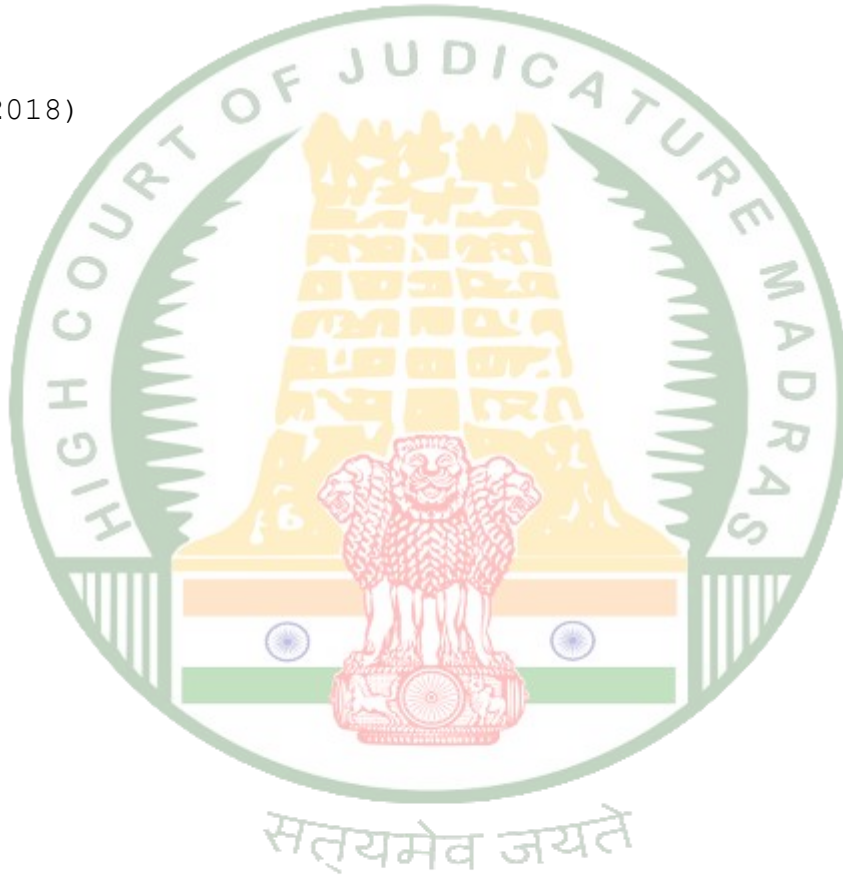
2.The Garrison Engineer (1) (R&D),  
Military Engineer Services,  
Avadi, Chennai - 600 054.

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

+1 CC to Mr.T. Madanagopal, Advocate sr 58328.

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SP(05/09/2018)



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