

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.12963 of 2018 and
W.M.P.No.15214 of 2018

- 1.Union of India
rep.by its Secretary
Health & Admin,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi-110 011.
 - 2.The Additional Secretary
Health & Admin,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi-110 011.
 - 3.The Director General,
Ministry of Health and Family Welfare,
CGHS, Nirman Bhavan,
New Delhi-110 011.
 - 4.The Additional Director,
CGHS, E-2-C, Rajaji Bhavan,
Besant Nagar, Chennai-600 090.
 - 5.Pay and Accounts Office,
MH & FW, Rajaji Bhavan, Chennai.
- ... Petitioners

सत्यमेव जयते
-vs-

- 1.P.Muthu Kumara Selvi
 - 2.The Registrar,
Central Administrative Tribunal (Madras Bench),
City Civil Court Buildings (Annexe),
Chennai-600 104.
- ... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari to call for the records of the second respondent in O.A.No.537 of 2018 and quash the interim order dated 27.04.2018 passed therein.

For Petitioners :: Mr.N.Ramesh
For Respondents :: Mr.Muthukumar for
 M/s.Paul & Paul for R1

ORDER

(Made by HULUVADI G.RAMESH, J.)

This writ petition has been filed challenging the interim order passed by the second respondent-Tribunal in O.A.No.537 of 2018 dated 27.04.2018, wherein the order terminating the services of the first respondent herein, was stayed.

2.The order terminating the services of the first respondent herein was passed on the ground there was gross violation of Rule/Procedure in her appointment, but the same has been stayed by the Tribunal on the ground that a person who has been in service after appointment for over four years would have lost opportunities of employment elsewhere due to such alleged irregular appointment which was not in her knowledge, and also on the ground that there was no contention that the first respondent manipulated or colluded with the authorities concerned to secure an irregular appointment.

3.The learned counsel for the petitioners has submitted that the impugned order dated 27.04.2018 was passed by the Tribunal in a hurried manner without hearing them.

4.The learned counsel for the first respondent has submitted that even though the Tribunal has stayed the termination of services of the first respondent, till now the said order has not been given effect to and the first respondent has not been reinstated in service.

5.Considering the fact that the materials in respect of this case are not available before this Court and that this writ petition has been filed only against the interim order passed by the Tribunal, the second respondent Tribunal is directed to dispose of the original application after getting the counter from the other side, within a period of two months from the date of receipt of a copy of this order. The parties are directed to appear before the Tribunal on 12.06.2018 placing all the relevant materials and to raise all their contentions.

5.The writ petition is disposed of accordingly. No costs. Consequently the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

KM

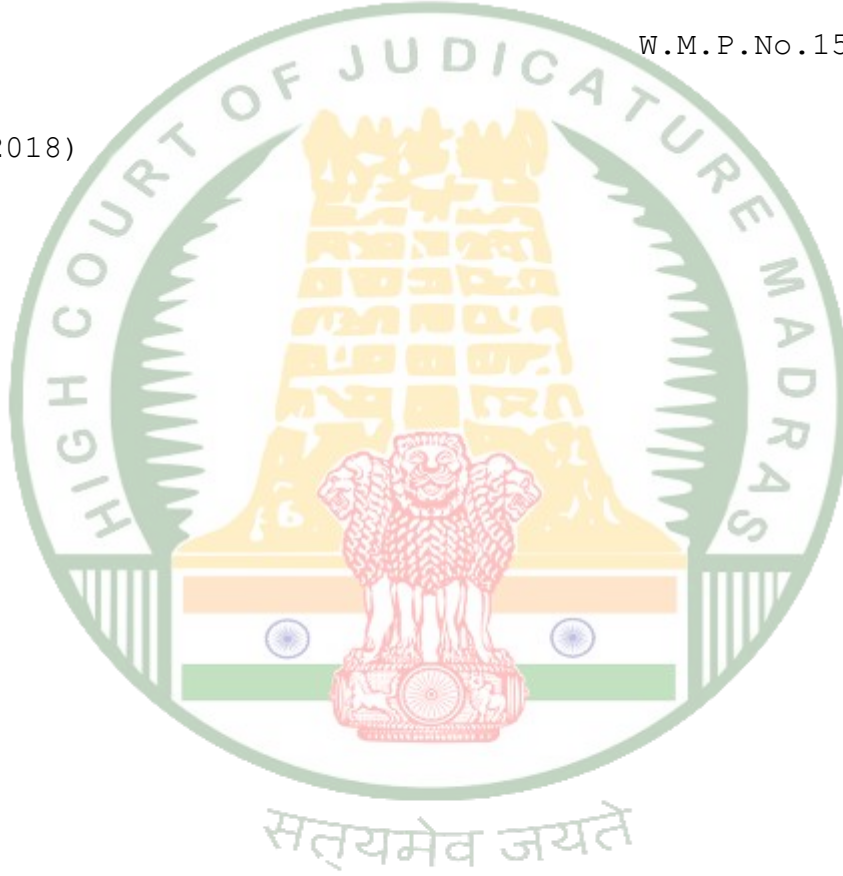
To

The Registrar,
Central Administrative Tribunal (Madras Bench),
City Civil Court Buildings (Annexe), Chennai-600 104.

+1cc to Mr.N.RAMESH, Advocate, S.R.No. 35514
+1cc to Mr.PAUL & PAUL Advocate, S.R.No. 36087

W.P.No.12963 of 2018
and
W.M.P.No.15214 of 2018

TR(12/06/2018)



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