

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2019

CORUM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.Nos.34944 and 33298 of 2016
and
W.M.P.Nos.28769 & 30156 of 2016

W.P.No.34944 of 2016

1. Union of India,
rep. by the Director General
Department of Posts,
Dak Bhavan,
New Delhi - 1.
2. The Chief Postmaster General,
Tamilnadu Circle,
Chennai - 600 002.Petitioner

Vs.

1. The Registrar,
Central Administrative Tribunal,
Chennai.
2. R.Ravichandran
3. M.Prema
4. N.Sundandirakumari
5. D.Pankajam
6. D.Jayanthi
7. A.R.Nirmala
8. M.Sampath
9. A.Jeevarathinam
- 10.P.Sivasubramanian

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11.S.Vijayalakshmi

12.V.Rajeswari

13.R.Nagarajan

14.K.Ramasamy

15.S.Padma

16.S.Murugiah

17.P.Karuppiah

18.S.Panneerselvam

19.Jeyaselvi Simon

20.J.Sankar

21.R.Jayaraj

22.M.Santhi Ilangothiyal

23.P.Revanthi

24.S.Ramasubramanian

25.A.Arumugam

26.P.Rajendran

27.V.Visveswari

28.G.Vasantha

29.S.Nagarathinam

30.K.R.Govardhanan

31.A.Vincent Amalraj

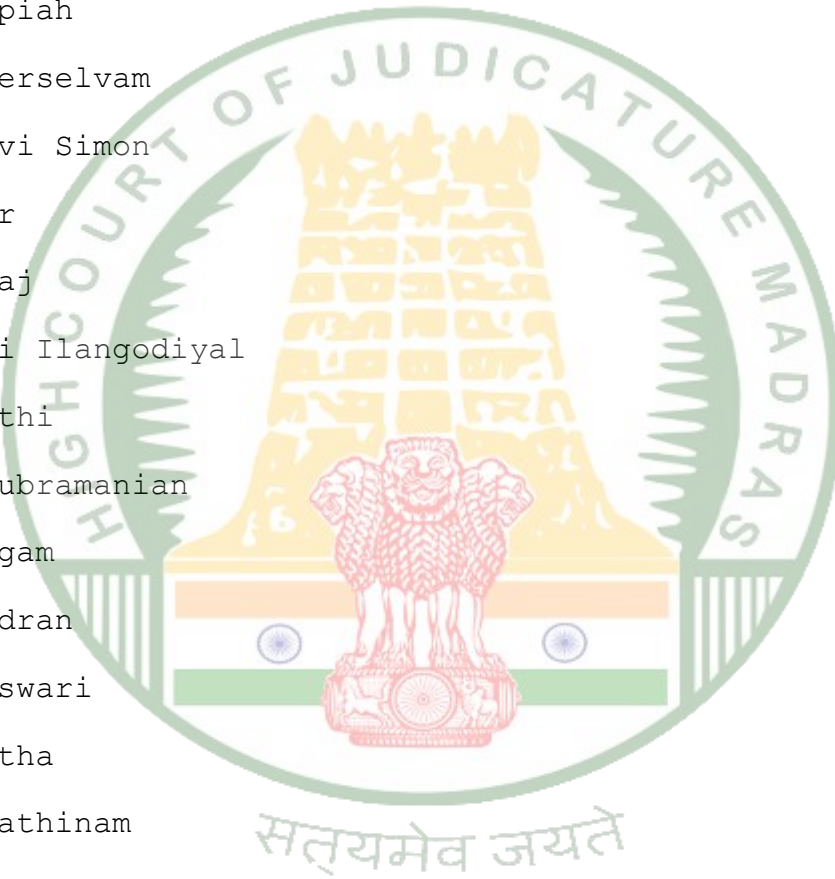
32.C.Muniyandi

33.M.Muthukrishnan

34.D.Veliappan

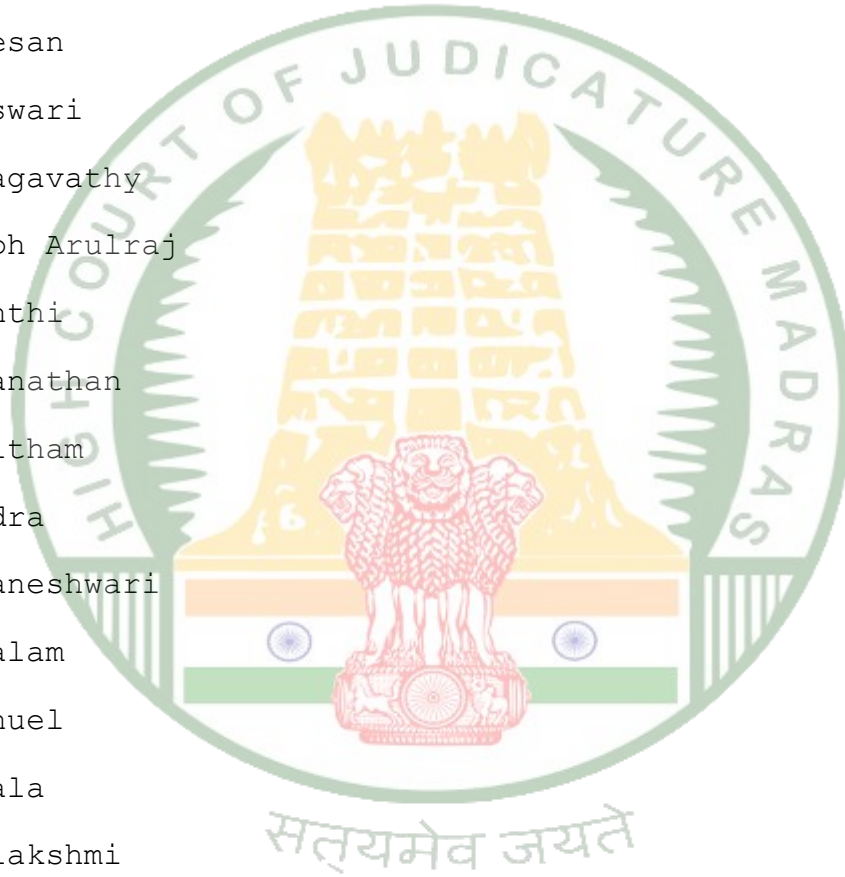
35.S.Meganathan

36.M.Pandian



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37.M.Prema
38.R.Ebeneser
39.S.Radha Nachiar
40.A.Abdul Asan Ali
41.M.D.Jenerdhanam
42.K.Rajendran
43.I.Alagesan
44.T.Rajeswari
45.V.Thilagavathy
46.V.Joseph Arulraj
47.K.Vasanthi
48.M.Selvanathan
49.R.Ranjitham
50.K.Chandra
51.S.Bhuvaneshwari
52.V.Mangalam
53.R.Emmanuel
54.C.Nirmala
55.R.Rajalakshmi
56.K.Sulochana
57.K.Rabindraraj
58.S.R.Girija
59.S.Ganesan
60.B.Sugumar
61.S.Sathya



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62.V.Vedavalli
63.V.Thangamani
64.T.Livingstone Theodore
65.C.S.Padmini
66.Y.Natrarajan
67.V.Aruchamy
68.S.Mohanraj
69.N.Maheswari
70.M.Tamilselvi
71.M.Chandra Gandhi
72.M.Baby
73.V.Ganesan
74.S.Gitanjali
75.P.Stanely
76.P.Subbulakshmi
77.P.Rajamani
78.S.Rajeswari
79. E.S.Karuppusamy

..Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorari to call for the records from the file of the 1st respondent in O.A.No.408 of 2014 dated 04.08.2015 and quash the same.

For Petitioners : Mr.G.Karthikeyan
Assistant Solicitor General of India

For Respondents : Mr.S.Ramaswamy Rajarajan
for R2 to R15, 17 to 23, 25 to 27,
31, 32, 37 to 42, 44, 46, 51 to 68,
70 to 75, 77 & 78.
Mr.R.Malaichamy
for R24,, 28, 29, 43, 45,
47 to 50 & 76.

Not ready in notice
for R30, 33, & 79
No appearance for R16 & 35
R34, R36 & R69 -died
R1-Tribunal

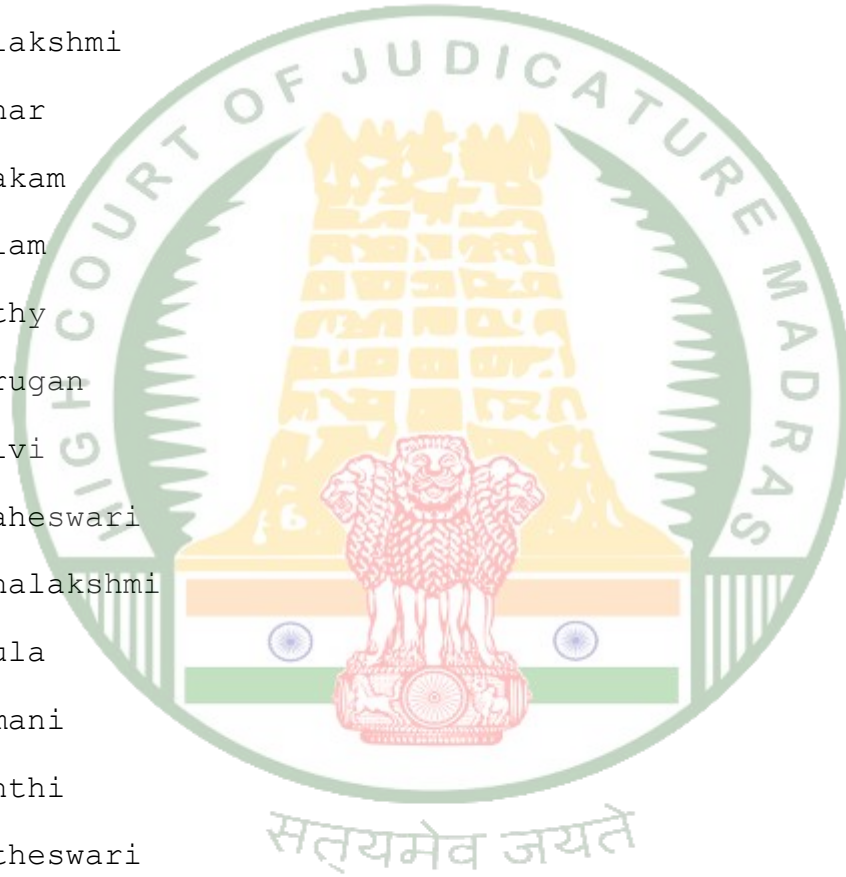
W.P.No.33298 of 2016

1. Union of India
Rep by The Director General Department of
Posts Dak Bhavan New Delhi-1
 2. The Chief Postmaster
General Tamil nadu Circle chennai-600002
 3. The Postmaster General
Western region Coimbatore- 642 002
 4. The Superintendent of Post
Offices Pollachi Division Pollachi-642 001
 5. The Superintendent of Post
Offices Tiruppur Division
Tiruppur- 641 601
 6. The Senior Superintendent of
Post Offices Salem East Division
Salem- 636 001
 7. The Superintendent of Post
Office Nilgiri Division
Udagamandalam - 643 001
- .. Petitioners

Vs

- 1 The Registrar
Central Administrative Tribunal,
Chennai.
2. D.Murugesan
3. S.Nirmala Devi
4. L.Rani
5. S.Kalaiselvi
6. S.Kannaiyan
7. A.G.Chandrasekaran

8. M.Devathai
9. T.Shenbagavalli
- 10.B.Ramasubramaniam
- 11.P.Meenakshi
- 12.S.Rajamani Srinivasan
- 13.B.Paraamasivam
- 14.G.Jayalakshmi
- 15.L.Jawahar
- 16.P.Thilakam
- 17.S.Kokilam
- 18.S.Malathy
- 19.R.S.Murugan
- 20.P.S.Selvi
- 21.P.Umamaheswari
- 22.K.Seethalakshmi
- 23.P.Manjula
- 24.S.Sudamani
- 25.V.Jayanthi
- 26.S.P.Matheswari
- 27.K.Lakshmanan
- 28.P.Poongodi
- 29.N.Sumathi
- 30.K.Senthamaraiselvi
- 31.S.MumtajBegam
- 32.K.P.Anjitkumar



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Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records from the file of the 1st respondent in O.A.No.1253 of 2012 dated 28.10.2014 and quash the same.

For Petitioners: Mr.G.Karthikeyan
Assistant Solicitor General of India

For Respondents: Mr.S.Ramaswamy Rajarajan
for R2 to R5, R7 R8 to R33
R1-Tribunal
R6- Died

C O M M O N O R D E R

(Order of the Court was made by K.K.SASIDHARAN, J.,)

The Central Administrative entertained the Original Applications filed by the private respondents in the respective writ petitions and by following the earlier orders issued a direction to the petitioners to regularise their services. The said order is under challenge at the instance of the Union of India.

2. We have heard the learned Assistant Solicitor General appearing for the petitioners. We have also heard the learned counsel appearing for the contesting respondents.

3. The respondents herein filed Original Applications before the Tribunal for a direction to regularise their service in the cadre of Postal Assistant, taking into account, their initial appointment. The Tribunal found that similar order dated 16.12.1986 was passed by the Jabalpur Bench of the Tribunal in T.A.No.82/1986 which was upheld by the Honourable Supreme Court in its order dated 11.02.1998 in SLP No.11313/1987. Similarly the Mumbai Bench in O.A.No.719 to 727 of 1996 dated 31.10.2010 issued a direction for regularisation. Since the issue was covered by the earlier orders passed by the Jabalpur Bench and Mumbai Bench, the Tribunal issued a direction for regularisation.

4. We have perused the order dated 16.12.1986 in T.A.No.82/1986 passed by the Central Administrative Tribunal, Jabalpur Bench and the related order passed by the Honourable Supreme Court dated 11.02.1988 in SLP.No.11313/1987. We have also perused the judgment rendered by the Division Bench of Punjab and Haryana High Court dated 18.02.2014 directing the Union of India, more particularly, the Postal Department to regularise the services of the employees with backwages. Similar order was passed by the High Court of Telangana and

Andra Pradesh in W.P.No.17400/2016.

5. We are informed by the learned counsel for the parties across the Bar that all these orders have been implemented by the Postal Department. Taking into account, the similar orders passed by the Jabalpur Bench and the compliance of the same by the Postal Department, the Central Administrative Tribunal was pleased to issue a direction to regularise the services of the petitioners. We therefore do not find any reasons to interfere with the order passed by the Tribunal.

6. The Writ Petitions are dismissed. We direct the petitioners to implement the order passed by the Tribunal within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

vsi

To

- 1.The Registrar,
Central Administrative Tribunal,
Chennai.
- 2.The Director General,
Department of Posts,
Union of India,
Dak Bhavan,
New Delhi-1.
- 3.The Chief Postmaster General,
Tamil Nadu Circle,
Chennai - 600 002.
- 4.The Postmaster General
Western region Coimbatore- 642 002
- 5.The Superintendent of Post
Offices Pollachi Division Pollachi-642 001
6. The Superintendent of Post
Offices Tiruppur Division
Tiruppur- 641 601

7. The Senior Superintendent of
Post Offices Salem East Division
Salem- 636 001.

+1cc to Mr.G.Karthikeyan, Advocate, S.R.No.63526
+1cc to Mr.S.Ramaswamy Rajarajan, Advocate, S.R.No.63092
+1cc to Mr.R.Malaichamy, Advocate, S.R.No.63035

W.P.Nos.34944 and 33298 of 2016

NR(CO)

RRS (28/08/2019)



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