

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2019

CORAM

THE HON'BLE MR. JUSTICE M.VENUGOPAL

AND

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.2887 of 2018

and

WMP.No.3556 of 2018

1. Union of India,
rep.by the Secretary,
Ministry of Personnel,
Public Grievances and Pensions,
Department of Pensions & Pensioners Welfare,
3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi.
 2. The Secretary,
Ministry of Communication & IT
Department of Posts, Dak Bhavan,
Sansad Marg, New Delhi -110 011.
 3. The Chief Postmaster General,
Tamilnadu Circle,
Anna Salai, Chennai - 600 002.
 4. Senior Superintendent of Post Offices,
Chennai City South Division,
Chennai - 600 017.
- ... Petitioners

vs.

1. The Central Administrative Tribunal,
rep.by its Registrar,
Madras Bench,
Chennai - 600 104.
 2. B.Ponnuraj
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the impugned order dated 06.01.2017 made in O.A.No.220 of 2016 on the file of the first respondent herein and quash the same.

For Petitioners : Mr.C.V.Ramachandramurthy
For R2 : Mr.S.Arun
For R1 : Tribunal

ORDER

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

The Learned Counsel for the Petitioners has made an endorsement in the Writ Petition that this Writ Petition is preferred against the order dated 06.01.2017 passed by the First Respondent/Central Administrative Tribunal in OA/310/00220/2016. However, in view of the change in 'Recruitment Rules', during the pendency of the present Writ Petition, the Petitioners had given an Appointment Order to the Second Respondent as per the Recruitment Rules on 25.02.2019. After the receipt of the Appointment Order, now the Second Respondent has made an endorsement in the present Writ Petition that subsequent to the case, he was appointed as 'Multi Task Staff' in 2018 vacancy of MTS in the postal department. Further, the Second Respondent has sought liberty from this Court, so as to enable him to approach the First Respondent/Tribunal seeking pension and other benefits, on the basis of the Second Respondent's 2012 Selection in MTS posts.

2.Taking note of the above, this Court closes this Writ Petition by granting liberty to the Second Respondent to approach the First Respondent/Tribunal seeking pension and other future benefits on the basis of the 2012 Selection in MTS posts. It cannot be gainsaid that if the Second Respondent files an Original Application before the First Respondent/Tribunal seeking appropriate relief for redressal of his grievances, then the First Respondent/Tribunal shall decide the same on merits and of-course, in accordance with law. Also that, it is open to the respective parties to raise all the Factual and Legal pleas before the Tribunal. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

rk Sub Assistant Registrar
To
The Registrar,
Central Administrative Tribunal,
Madras Bench, Chennai - 600 104.

+1 cc to Mr.C.V.Ramachandramurthy, Advocate, S.R.No.37346

RJI (CO)
SSM(19/06/2019)

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