

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE P.T. ASHA

W.P. No.25378 OF 2019

1 Jhanaz Raffi alias Jhansi
2 K.Latchumy
3 S.Dhanaraj ...petitioners

-Vs-

1 Manimegalai Govindaradjou
2 The Union of India
Rep. by Chief Secretary to Government Chief
Secretariat Government of Puducherry
Puducherry
3 The Secretary to Government
(Law) Law Department Chief Secretariat
Government of Puducherry Puducherry
4 K.Kiroubagarane
5 P.Raman
6 K.Syed Shaffy
7 P.Nadaradjane
8 P.Srinivasaperumal
9 The Central Administrative Tribunal
Chennai Bench Through its
Registrar Higher Court Buildings
Chennai - 104 ..Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the 10th Respondent Central Administrative Tribunal Chennai Bench to finally dispose of O.A. 848/ 16 within a time frame.

For petitioner : Mr.J.Srinivasa Mohan

For Respondents : Mrs.Elizabeth Rani, for R-1

Mr.Syed Mustafa,
Spl.G.P., (Puducherry)
for respondents 2 and 3

O R D E R

(made by K.K.SASIDHARAN, J.)

This Writ Petition is filed to direct the Madras Bench of the Central Administrative Tribunal to dispose of the original application in O.A.No.848 of 2016 within a time frame, taking into account the completion of pleadings.

2. We have heard the learned counsel for the petitioner, the learned counsel for the first respondent and the learned Special Government Pleader for the Union Territory of Puducherry.

3. The first respondent filed the original application in O.A.No.848 of 2016 challenging the seniority list published by the Government of Union Territory of Puducherry in G.O.Ms.No.2159 dated 4 November 2015 and with a consequential prayer to restore the seniority position as indicated in the order in G.O.Ms.No.38 dated 2 December 2018.

4. The parties have exchanged the pleadings and the original application is stated to be ripe for final hearing.

5. The learned counsel for the first respondent who is the applicant before the Tribunal, submitted that the first respondent also wanted an early disposal of the original application and she was in the process of moving this Court. According to the learned counsel, the original application is now posted for hearing on 19 September 2019 and both the parties would be satisfied in case a direction is given for early disposal.

6. The only short question to be considered in the original application is as to whether the seniority was fixed correctly in accordance with the quota earmarked to the deputationists and direct recruits.

7. The Tribunal is expected to decide whether seniority fixed as per the order in G.O.Ms.No.2159 dated 4 November 2015 was in accordance with the quota indicated in the recruitment rules published by the Government in G.O.Ms.No.65/92/LLD dated 26 October 1992.

8. Since the issue is not of a complicated nature, and the

interpretation of the quota rule as per the recruitment rule is the only requirement, we are of the view that the original application could be disposed of by the Tribunal during the next date of hearing.

9. The parties have agreed to advance arguments on 19 September 2019, the date on which the original application is posted for hearing.

10. We request the Tribunal to post the original application for final disposal on 19 September 2019. The parties are directed to make submissions on the scheduled date without taking adjournment.

11. The Tribunal is directed to dispose of the original application in O.A.No.848 of 2016 as expeditiously as possible and in any case on or before 30 September 2019.

12. The Writ Petition is disposed of with the above direction. No costs.

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Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chief Secretary to Government
Government of Puducherry
- 2 The Secretary to Government
(Law) Law Department Chief Secretariat
Government of Puducherry Puducherry
- 3 The Registrar,
Central Administrative Tribunal
Chennai Bench
High Court Buildings, Chennai - 104

+1cc to M/s.TVJ Associates, Advocate, SR.No.75099

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Kak(03/09/2019)