

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MRS.JUSTICE R. HEMALATHA

W.P.Nos.9951, 9743, 9957, 9965, 9970 and 9973 of 2020
and

WMP.Nos.12104, 12074, 12108, 12117,
12120 and 12122 and of 2020

J.L.Babu ... Petitioner in WP.No.9951 of 2020
S.Rajamani ... Petitioner in WP No.9743 of 2020
R.Kumar ... Petitioner in WP.No.9957 of 2020
K.R.Krishnakumar ... Petitioner in WP.No.9965 of 2020
L.Rajendran ... Petitioner in WP.No.9970 of 2020
D.Dhanapal ... Petitioner in WP.No.9973 of 2020

Vs.

1. Central Administrative Tribunal, Madras Bench,
Rep. By its Registrar,
High Court Campus,
High Court Buildings,
Chennai - 600 104.

2. Union of India,
Rep. by its Director General of Civil Aviation,
Civil Aviation Department,
Rajiv Gandhi Bhavan,
Opp. To Safdurjung Airport,
New Delhi - 110 003.

3. Deputy Director of Administration,
O/o. Director General of Civil Aviation,
Opp. To Safdurjung Airport,
New Delhi - 110 003.

4.Airports Authority of India,
Rep. By its Regional Executive Director,
Southern Region, Chennai Airport,
Meenambakkam, Chennai - 600 027. .. Respondents in all cases

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue Writs of Certiorari calling for the relevant records in OA.Nos.1554, 1553, 1555, 1556, 1558 and 1559 of 2014 on the file of the 1st respondent and to quash the order passed thereon, dated 11.04.2016, by the 1st respondent Tribunal and permit the petitioners to withdraw their respective Original Applications.

For Petitioners : Mr.Balan Haridas
in all WPs

For Respondents : Mr.G.Karthikeyan,
in all WPs Addl. Solicitor General of India
for RR2 and 3

R1 : Tribunal

R4-R.Kamatchi Sundaresan

COMMON ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Heard the learned counsel for the petitioners and the learned Additional Solicitor General of India for respondents 2 and 3.

2. The issue raised in these writ petitions is no longer res integra. What the petitioners seek is a permission to withdraw their respective Original Applications so as to facilitate the respondents 2 and 3 to look into the matter and take appropriate action. In fact, similar order was passed in W.P.No.9318 of 2020 dated 16.07.2020 based on the earlier order passed in W.No.1337 of 2020 dated 23.01.2020 wherein it has been held as follows :

"In this connection, it may be recalled that some of these ex-CAD employees have filed court cases, particularly in Southern Region which are pending in various Courts/Tribunal regarding the shifting of date of absorption for their eligibility for Government pension for the service rendered in the CAD. Since absorbee employees of ex-CAD who rendered less than 10 years of service in CAD/DGCA are now eligible for Government pension on the basis of combined service in CAD/DGCA & AAI,

these employees who have filed the court cases for shifting of date of absorption may also have given their option for benefit of Government pension on the basis of combined service. The pension cases of such employees, in case they have given the options for Government pension on the basis of combined service, may be processed by the concerned Regional Offices provided they withdrew the court cases filed by the in the various Courts/Tribunals for the shifting of date of their absorption.?6. In view of the same, this writ petition is disposed of and the petitioner is permitted to withdraw O.A.No.990 of 2015 and in the event he suffers any adverse orders, he is always at liberty to avail the remedy in accordance with law before the appropriate and competent forum. No costs."

3. In view of the same, these writ petitions stand disposed of on the very same terms and conditions as ordered in W.P.No.9318 of 2020 and W.P.No.1337 of 2020. No costs. Consequently, connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

raa/kmk

1.The Registrar, Central Administrative Tribunal, Madras Bench, High Court Campus, High Court Buildings, Chennai - 600 104.

2.The Director General of Civil Aviation, Civil Aviation Department, Union of India, Rajiv Gandhi Bhavan, Opp. To Safdurjung Airport, New Delhi - 110 003.

3.The Deputy Director of Administration, O/o.Director General of Civil Aviation, Opp. To Safdurjung Airport, New Delhi - 110 003.

4.The Regional Executive Director, Airports Authority of India, Southern Region, Chennai Airport, Meenambakkam, Chennai - 600 027.

W.P.Nos.9951, 9743, 9957, 9965, 9970 and 9973 of 2020

BR(CO)
GMY(28/08/2020)