

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.01.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R. HEMALATHA

WP.Nos.35936, 35950, 35952 & 35967 to 35969 of 2019

N.Boopathy ..Petitioner in W.P.No.35936 of 2019
S.Mohandoss ..Petitioner in W.P.No.35950 of 2019
A.Srinivasan ..Petitioner in W.P.No.35952 of 2019
P.Rajendran LTI NO 19 ..Petitioner in W.P.No.35967 of 2019
A.Durai LTI NO 19 ..Petitioner in W.P.No.35968 of 2019
M.Manoharan LTI NO 146 ..Petitioner in W.P.No.35969 of 2019

Vs.

- 1.The Registrar,
Central Administrative Tribunal,
Chennai Bench.
- 2.Union of India
rep.by General Manager,
Southern Railway,
Park Town, Chennai 600 003.
- 3.The Divisional Railway Manager,
Chennai Division, Southern Railway,
Chennai 600 003.
- 4.The Senior Divisional Personnel Officer,
Chennai Division, Southern Railway,
Chennai 600 003.Respondents in All WP's.

PRAYER in W.P.No.35936 / 2019:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Certiorarified Mandamus Calling for the records of the first respondent relating to the oral order dated 22.04.2019 in O.A.No.1374/2016, as far as the petitioner herein is concerned and quashing the same in the Batch O.A starting from NO.1354 of

2016 dated 22.04.2019 and to direct the respondents No.2 to 4 to re-fix the petitioner's basic pay with effect from 21.05.1981 and consequently re-fix his pension benefits with all attended benefits.

WP No.35950 of 2019 :

Calling for the records of the 1st Respondent relating to the oral order dated 22.04.2019 in O.A. No. 1370/ 2016, as far as the petitioner herein is concerned and quashing the same in the Batch O.A. starting from No. 1354 of 2016 dated 22.04.2019 and to direct the Respondents No. 2 to 4 to re-fix the petitioners basic pay with effect from 21.06.1981 and consequently re-fix his pension benefits with all attendant benefits

WP No.35952 of 2019 :

Calling for the records of the 1st Respondent relating to the oral order dated 22.04.2019 in O.A. No. 1367/ 2016, as far as the petitioner herein is concerned and quashing the same in the Batch O.A. starting from No. 1354 of 2016 dated 22.04.2019 and to direct the Respondents No. 2 to 4 to re-fix the petitioners basic pay with effect from 27.01.1982 and consequently re-fix his pension benefits with all attendant benefits

WP No.35967 of 2019 :

Calling for the records of the First Respondent relating to the oral order dated 22.3.2019 in OA.NO 388/2017 as far as the Petitioner herein is concerned and quashing the same in the Batch O.A. Starting from No 385/2017 dated 22.3.2019 and directing the Respondent No 2 to 4 for granting tempoary status from 27.10.1979 instead of 1.1.1983 with consequential benefit and refixing the Petitioners basic pay.

WP No.35968 of 2019 :

Calling for the records of the First Respondent relating to the oral order dated 22.3.2019 in O.A.NO 390/2017 as far as the Petitioner herein is concerned and quashing the same in the Batch O.A. Starting from No 385/2017 dated 22.3.2019 and directing the Respondent No 2 to 4 for granting temporary status from 23.5.1980 instead of 1.1.1984 with consequential benefit and refixing the Petitioners basic pay.

WP No.35969 of 2019 :

Calling for the records of the First Respondent relating to the oral order dated 22.3.2019 in O.A.NO 391/2017 as far as the

Petitioner herein is concerned and quashing the same in the Batch O.A. Starting from No 385/2017 dated 22.3.2019 and directing the Respondent No 2 to 4 for granting temporary status from 21.07.1981 instead of 1.1.1984 with consequential benefit and refixing the Petitioners basic pay.

For Petitioners in all W.Ps. : Mr.P.Chandrasekaran

For Respondents : Mr.P.T.Ramkumar

ORDER

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

The petitioners, are applicants in O.A.Nos.381, 388 & 390 of 2017 & 1367, 1370, 1374 of 2016 on the file of the Central Administrative Tribunal, Chennai Bench and they filed the said Original Application to call for the records related to the conferment of temporary status to them and to direct the respondents therein to refix the applicants' basic pay with effect from 21.09.1980 with all the attendant benefits as in the case of Shri.S.Tirunavukkarasu and pass such further orders.

2. Mr.P.Chandrasekaran, learned counsel appearing for the petitioners has fairly brought to the knowledge of this Court that the said Original Applications along with other Original Applications were dismissed by the Central Administrative Tribunal vide order dated 22.04.2019 and challenging the legality of the same, applicants in O.A.Nos.1373, 1371 and 1356/2016 had filed W.P.Nos.31689, 31692 & 31694/2019 respectively. The Division Bench of this Court vide common order dated 13.11.2019 had dismissed all the above said Writ Petitions and hence, prays for appropriate orders.

3. Mr.P.T.Ramkumar, learned Standing Counsel who accepts notice on behalf of the respondents 2 to 4 would submit that similar challenge made by other applicants in W.P.Nos.31689, 31692 & 31694/2019, also ended in dismissal and therefore, these Writ Petitions also deserve dismissal.

4. This Court has carefully considered the rival submission and also perused the materials placed before it.

5. The Division Bench of this Court vide common order dated 13.11.2019 made in W.P.No.31689, 31692 & 31694/2019 having noted that similar challenge made in W.P.Nos.29791 and 29793 of 2019 had ended in dismissal and found that no case is made out for interfering with the impugned common order passed by the Tribunal dated 22.04.2019 in the Original Application. In the

light of the dismissal of all the Writ Petitions, this Court is not inclined to entertain these Writ Petitions also and accordingly all the Writ Petitions are dismissed at the admission stage itself. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(C.S.III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Registrar,
Central Administrative Tribunal,
Chennai Bench.
- 2.The General Manager,
Union of India
Southern Railway,
Park Town, Chennai 600 003.
- 3.The Divisional Railway Manager,
Chennai Division, Southern Railway,
Chennai 600 003.
- 4.The Senior Divisional Personnel Officer,
Chennai Division, Southern Railway,
Chennai 600 003.

+6cc to Mr.P.Chandrasekaran, Advocate Sr.No.310

+6cc to Mr.P.T.Ramkumar, Advocate Sr.Nos.841 to 846

AKM/02.03.2020/4P-17C /

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