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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.1850 of 2019
and
W.M.P.No.2064 of 2019

K.U.Rajasekar (P.No.991662)
Presently working as Director
Regional Controllerate of Safety (Southern Region)
AVHQ Complex, Avadi,
Chennai 600 054.
Tamil Nadu.

... Petitioner

Vs

1. Central Administrative Tribunal
Chennai Bench,
Rep. by its Registrar,
City Civil Court Buildings,
High Court Complex,
Chennai 600 104.
2. Union of India,
Rep. by its Secretary,
Ministry of Defence,
North Block,
New Delhi - 110 001.
3. The Chairman,
Ordnance Factory Board,
Ministry of Defence,
Govt. of India,
10A, S.K.Bose Road,
Kolkata - 700 001.
4. Director General of Ordnance Factories,
Government of India,
Ministry of Defence,
Ordnance Factory Board,
10A, S.K.Bose Road,
Kolkata - 700 001.



5. Regional Director,
Regional Controllerate of Safety
(Southern Region)
AVHQ Complex, Avadi,
Chennai 600 054.
Tamil Nadu

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the 1st respondent Tribunal made in O.A./310/01882/2017 dated 11.01.2019 and the impugned order in No.581/Review/PER/G/KUR dated 31.08.2017 attributable to the 4th respondent and consequential order in case file No.0204/AVHQ/A/G/RCS (KUR) dated 17.10.2017 on the file of the 5th respondent, quash the same and direct the respondents 2 to 5 to continue the services of the petitioner till his superannuation.

For Petitioner : Mr.B.Satish Sundar

For Respondents : Mr.B.Rabu Manohar
Senior Central Government Panel
Counsel(for R2 to R4)

Dr.G.Babu (for R5)

ORDER

(Order of the Court was passed by N.KIRUBAKARAN, J)

The Writ Petition has been filed against the dismissal order dated 11.01.2019 passed by the CAT, rejecting the Petitioner's challenge against the order of compulsory retirement.

2.In the mean while, based on the Petitioner's representation, Petitioner was allowed to retire normally on 30.06.2019. Therefore, according to the Petitioner, the Writ Petition has become infructuous.

3.Mr.B.Satish Sundar, learned counsel appearing on behalf of the Petitioner would submit that though the prayer sought for by the Petitioner has been complied with, the Petitioner may be granted liberty to workout his remedy with regard to upgradation. Mr.B.Rabu Manohar, learned Senior Central Government Panel Counsel is also agreed for the above said liberty.

4.Therefore, the Writ Petition is dismissed with the liberty to the Petitioner to workout his remedy with regard to



upgradation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

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To

1. Central Administrative Tribunal
Chennai Bench,
Rep. by its Registrar,
City Civil Court Buildings,
High Court Complex,
Chennai 600 104.
2. The Secretary,
Union of India,
Ministry of Defence,
North Block,
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3. The Chairman,
Ordnance Factory Board,
Ministry of Defence,
Govt. of India,
10A, S.K.Bose Road,
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4. Director General of Ordnance Factories,
Government of India,
Ministry of Defence,
Ordnance Factory Board,
10A, S.K.Bose Road,
Kolkata - 700 001.
5. Regional Director,
Regional Controllorate of Safety
(Southern Region)
AVHQ Complex, Avadi,
Chennai 600 054.
Tamil Nadu

+1cc to Mr.B.Rabu Manohar, Advocate S.R.No.27936

W.P.No.1850 of 2019

KV(CO)
RLP(29/07/2021)