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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2022

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.29037 of 2012
and M.P.No. 1 of 2014

L.Chandrakumar

... Petitioner

Vs.

1. The Union of India,
Represented by its Secretary,
Ministry of Law and Justice,
4th Floor, A Wing,
New Delhi - 110 001.
2. The Department of Personnel & Training,
Represented by its Secretary,
Ministry of Personnel, Public Grievances & Pensions,
North Block, New Delhi - 1.
3. The Department of Expenditure,
Represented by its Secretary,
Ministry of Finance, North Block,
New Delhi - 110 001.
4. The Principal Registrar,
Central Administrative Tribunal - Principal Bench,
1/35, Copernicus Marg, New Delhi - 110 001.
5. The Registrar,
Central Administrative Tribunal - Chennai Bench,
Additional City Civil Court Building,
High Court Campus,
Chennai - 600 104.

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the fifth respondent in its notifications No.CAT/MBS/Circuit Sitting/ 2012, dated 01.03.2022, 09.10.2012 and 10.10.2012.

For Petitioner : M/s.V.Vijay Shankar

For Respondent

Nos.1 to 3 : M/s.R.Rajesh Vivekananthan
Senior Panel Counsel

Respondent

Nos.4 and 5 : Tribunal



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O R D E R

Against the notification dated 09.10.2012 for constituting a Circuit Bench at Madurai, the petitioner Association has preferred the above Writ Petition.

2. After the notification issued in 2012, 10 years have passed by. The learned counsel appearing for the petitioner would submit that at the present circumstance, the Constitution of Circuit Bench is a mirage, for, the Principal Bench itself is still vacant with having judicial or administrative members. Still worse is a condition that the Chairman post is also vacant and lot of Benches are functioning by deputed members from one Bench to other Bench.

3. Therefore, considering the submission that the posts available in the Principal Seat itself are vacant, there is no question of constituting a Circuit Bench at Madurai and to conduct cases there. Therefore, the impugned notification dated 09.10.2012 has become futile and unenforceable. In any event, if the respondents fill up all the vacancies and decide to constitute the Circuit Bench at Madurai, it is always open to the petitioner Association to challenge the same at the relevant point of time.

With the aforesaid liberty, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Union of India,
Ministry of Law and Justice,
4th Floor, A Wing,
New Delhi - 110 001.
2. The Secretary,
Department of Personnel & Training,
Ministry of Personnel, Public Grievances & Pensions,
North Block, New Delhi - 1.



3. The Secretary,
Department of Expenditure,
Ministry of Finance, North Block,
New Delhi - 110 001.

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4. The Principal Registrar,
Central Administrative Tribunal - Principal Bench,
1/35, Copernicus Marg, New Delhi - 110 001.

5. The Registrar,
Central Administrative Tribunal - Chennai Bench,
Additional City Civil Court Building,
High Court Campus, Chennai - 600 104.

+1cc to Mr.R.Rajesh Vivekananthan, Advocate, S.R.No.25621

+1cc to Mr.M.Vijaya Shankar, Advocate, S.R.No.25404

W.P.No.29037 of 2012
and M.P.No. 1 of 2014

AK II(CO)
GN(23/05/2022)