



W.P.No.8567 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8567 of 2014

and

M.P.No.1 of 2014

All India Postal Employees Union, GDS (NFPE),
Rep. by R.Dhanaraj, Deputy General Secretary,
Head Quarters and Circle Secretary,
Tamil Nadu Circle, Thuthukudi BO,
Sannanallur - 609 504,
Thiruvavarur District.

...Petitioner

Vs

1.Secretary,
Department of Posts,
Dak Bhawan, New Delhi - 110 001.

2.Director (SR & Legal),
Ministry of Communications & IT,
Department of Posts,
Dak Bhawan, New Delhi - 110 001.

3.Secretary,
Department of Personnel & Training,
Government of India, New Delhi.

4.Chief Postmaster General, Tamil Nadu Circle,
Chennai - 600 002.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing respondents 1 and 2 to conduct fresh re-verification of membership strength of GDS employees all over India, due to vertical split in the recognized All India GDS Union in the year 2012, within a time frame.

For Petitioner : Mr.K.M.Ramesh

For Respondents : M/s.N.K.Nithilavani, CGC

ORDER

Heard Mr.K.M.Ramesh, learned counsel appearing for the petitioner and M/s.N.K.Nithilavani, learned Central Government Counsel appearing for the respondents.

2. The limited prayer sought for in the present Writ Petition is for a direction to the respondents 1 and 2 to conduct fresh re-verification of membership strength of GDS employees all over India, due to vertical split in the recognized All India GDS Union in the year 2012.

3. This Court is of the view that such a claim requires to be considered by the respondent department and this Court may not be justified in stepping



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into the shoes of the respondents to consider the same. Nevertheless, if the petitioner is granted liberty to give a fresh representation to the respondent ventilating his grievance, with a consequential direction to the respondent to consider it within a stipulated time, the ends of justice could be secured.

4. In the light of the above observation, the petitioner is granted liberty to give a fresh representation to the first and second respondents herein, ventilating their grievance and on receipt of the same, the respondents shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and it is open to the respondents to consider it on its own merits.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking order/Non-speaking order



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M.S.RAMESH,J.

hvk

To

- 1.The Secretary,
Department of Posts,
Dak Bhawan, New Delhi - 110 001.
- 2.The Director (SR & Legal),
Ministry of Communications & IT,
Department of Posts,
Dak Bhawan, New Delhi - 110 001.
- 3.The Secretary,
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