



W.M.P.No.28345 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.M.P.No.28345 of 2022

in

Rev.Aplw.SR.No.115225 of 2022

in

W.P.No.17526 of 2022

1.R.Baskaran (Postman),
T.Nagar Head Office,
Chennai – 600 017.

2.A.Palanirajan (LSG PA),
Chennai GPO,
Chennai – 600 001.

... Petitioners/Appellants

Vs

1.D.Roy,
LSG Supervisor,
Foreign Post IBC,
Chennai – 600 016.

2.The Secretary,
Union of India,
Ministry of Personnal,
Public Grievances and pension,
New Delhi.



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3. The Chief Postmaster General,
Tamil Nadu Postal Circle,
Anna Road,
Chennai – 600 002.

4. The Central Registrar of Co-operative Society,
Ministry of Agriculture,
Department of Agriculture and Co-operative,
Girish Bhavan,
New Delhi – 110 001.

5. The Secretary,
Tamil Nadu Circle Postal Co-operative Bank Ltd.,
No.18/19, Jehangir Street, (Second Line Beach),
Chennai – 600 001.

6. Mrs.K.R.Maheswari,
Returning Officer,
Tamil Nadu Circle Postal Co-operative Bank Ltd.,
No.18/19, Jehangir Street,
(Second Line Beach),
Chennai – 600 001.

... Respondents/Respondents

Prayer in W.M.P.No.28345 of 2022: This Writ Miscellaneous Petition has been filed to grant leave to the petitioners to file review application in the common order dated 22.09.2022 in so far as at Paragraph 33 is concerned in W.P.No.17526 of 2022, on the file of this Hon'ble Court.

Prayer in Rev.Aplw.SR.No.115225 of 2022: Review Application filed under Order 47 Rule I read with Section 114 of CPC, to review the common order dated 22.09.2022 in so far as at Paragraph 33 is concerned in W.P.No.17526 of 2022, on the file of this Hon'ble Court.



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For Petitioners/Appellants : Mr.E.Vinoth Kumar

ORDER

This writ miscellaneous petition has been filed to grant leave the petitioners to file review application in the common order dated 22.09.2022 in W.P.No.17526 of 2022.

2.The petitioner has filed this writ miscellaneous petition on the ground that the conditions stipulated in the order passed by this Court cannot be complied with, as the election has already been held. It is further submitted that the issues are already covered by the decision of this court, the order of this Court is categorical. The elections cannot be held contrary to the provisions of the Central Civil Service (Conduct) Rules, 1964. Therefore, if the petitioner was not entitled to contest the election, the petitioner was incompetent as per the rules and he cannot seek for dilution of the order by stating that *post facto* approval can be obtained contrary to the aforesaid Rules. In case, the petitioner is aggrieved, the petitioner shall be filed an Appeal before the Hon'ble Division Bench of this Court.



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3. Therefore, I am of the view that this Writ Miscellaneous Petition is liable to be dismissed and is accordingly dismissed. Consequently, the Review Application is rejected at SR stage itself.

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Index : Yes/No
Speaking/Non-Speaking Order

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To

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C.SARAVANAN, J.

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