



W.P.No.23608 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P.B. BALAJI

W.P.No.23608 of 2015

1.Union of India represented by
The General Manager,
Southern Railway,
Park Town,
Chennai-600 003.

2.The Senior Divisional Personnel Officer,
Southern Railway,
Palghat Division,
Palghat.

3.The Senior Divisional Financial Manager,
Southern Railway,
Palghat Division,
Palghat.

... Petitioners

versus

1.The Registrar,
Central Administrative Tribunal,
Madras Bench,
Chennai-600 104.

2.R.Srinivasan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorari, calling for the entire records of the first respondent in O.A.No.154 of 2012 including the order dated 18.04.2013 and quash the same and pass orders.

For Petitioners : Mr.P.T.Ramkumar

For Respondents : R1-Tribunal
R2-Died

ORDER

(Order of the Court was made by *D.KRISHNAKUMAR, J.*)

The writ petition is filed for a of Certiorari calling for the entire records of the first respondent in O.A.No.154 of 2012 including the order dated 18.04.2013 and quash the same and pass orders.

2. The case of the petitioner is that the second respondent had filed O.A.No.154 of 2012, on the file of Central Administrative Tribunal, seeking monetary benefits and the same was allowed by the Tribunal, by order dated 18.04.2013 granting monetary benefits to the second respondent. Challenging the said order passed by the Tribunal, the petitioner has filed the instant writ petition before this Court.

3. Learned counsel for the petitioner has stated that the second respondent died on 20.09.2012, whereas the order has been passed in the said O.A. On 18.04.2013. Thus, on the date of passing of the



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order in the said O.A, the second respondent had already expired. Therefore, the said order passed by the Tribunal is a nullity. Hence, at this stage, learned counsel for the petitioner seeks liberty to file appropriate application before the Tribunal for taking steps to implead the legal heirs of the deceased employee namely the second respondent and to get appropriate orders from the Tribunal.

4. In the light of the said submission made by the learned counsel for the petitioner, the writ petition stands disposed of with the above liberty. There will be no order as to costs. W.M.P.No.22850 of 2019 and M.P.No.1 of 2015 are closed.

[D.K.K., J.] [P.B.B., J.]
05.07.2023

Index : Yes/No
Neutral Citation : Yes/No
mrn



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D.KRISHNAKUMAR, J.
and
P.B. BALAJI

(mrn)

To

- 1.The General Manager,
Union of India
Southern Railway,
Park Town,
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- 2.The Senior Divisional Personnel Officer,
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Palghat.
- 3.The Senior Divisional Financial Manager,
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