



WP No.4606 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

WP No.4606 of 2018

- 1.Union of India
Represented by its Secretary,
Ministry of Defence,
Department of Defence Production,
South Block, New Delhi-110 001.
- 2.The Chairman,
Ordnance Factory Board,
10-A, S.K.Bose Road,
Kolkatta-700 001.
- 3.The General Manager,
Ordnance Clothing Factory,
Avadi,
Chennai-600 054.
- 4.The Secretary,
Ministry of Personnel, Public Grievances
& Pensions,
Department of Personnel & Training,
North Block, New Delhi-110 001.

... Petitioners



WP No.4606 of 2018

versus

1. Ordnance Clothing Workers' Union,
Represented by its General Secretary,
Mr.C.Srikumar,
SM Banerjee Maligai,
OCF Road, Avadi,
Chennai – 600 054.

2. Mr.J.Wilson Christopher,
Tailor/HS Grade II,
T.No.105098,
Ordnance Clothing Factory,
Avadi,
Chennai-600 054.

3. The Central Administrative Tribunal,
Represented by its Registrar,
Madras Branch,
Chennai-600 104.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorari to call for the records of the third respondent order dated 22.07.2016 made in OA No.310/00033 of 2014 and quash the same.

For the Petitioners :Mr.V. Chandrasekaran
Senior Panel Counsel

For the Respondents :Mr.Muthuknan
for first and second respondents
third respondent- Tribunal

ORDER



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

Challenging the order in OA No.310/00033 of 2014, dated 22.07.2016, passed by the Central Administrative Tribunal, the petitioner Department have filed the present writ petition.

2. Learned Senior Panel Counsel appearing for the petitioner Department submitted that the order of the Tribunal has been complied with by the Petitioner Department and therefore, nothing survives for adjudication in the present writ petition. Therefore, the writ petition has become infructuous.

3. At this juncture, learned counsel for the first and second respondents stated before this Court that the Controller General of Defense Accounts, has sent a Communication dated 28.07.2023, wherein a direction was given to the individuals to exercise their option within three months from the date of that letter. He further submits that it would be suffice if the said letter is considered by the authority concerned in the case of first and



WP No.4606 of 2018

second respondents also.

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4. In view of the above, we are not expressing any opinion on the above aspect. However, it is for the petitioner Department to consider the representation of the respondents dated 03.08.2023 and to pass appropriate orders in the light of the communication of the Controller General of Defense Accounts dated 28.07.2023.

5. With the above, the writ petition stands dismissed as infructuous.
There will be no order as to costs.

[D.K.K., J.] [P.D.B., J.]
17.11.2023

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

D.KRISHNAKUMAR, J.
and
P. DHANABAL, J.



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WP No.4606 of 2018

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WP No.4606 of 2018

17.11.2023