



WEB COPY



WP No.13086 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

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K.Suganthi

... Petitioner

vs

1.Central Administrative Tribunal,
Represented by its Registrar,
Madras Bench,
Chennai-104.

2.The Directorate General,
All India Radio,
S-VII Section (s7@air.org.in),
Akashwani Bhawan,
Sansad Marg,
New Delhi-110 001
Represented by its Deputy Director of Admn.

3.The Deputy Director General (E),
All India Radio,
KamarajarSalai,
Chennai- 600 004.



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4.The Director (Engg), Prasar Bharati,
All India Radio,
Tirunelveli -2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorarified Mandamus, to call for the records of the first respondent Tribunal in OA/310/00362/200 dated 13.08.2020 confirming the proceedings in File No.15/1330/1992-S.VII(Vol-III) on the file of the second respondent dated 06.07.2020 and quash the same and direct the respondents 2 to 4 to permit the petitioner to continue as general candidate as per the judgment of the Hon'ble Supreme Court in Kavitha Solunke V. State of Maharashtra and others, reported in 2012 (8) SCC 430 relying on the decision of the Constitution Bench in State of Maharashtra V. Millind (2001) 1 SCC 4 and judgment of the Hon'ble High Court of Madras in the case of P.Jayaprakash v The Executive Director (W.P.No.4075 of 2016 order dated 22.03.2016).

For the Petitioner :Mr.V.Elangovan

For the Respondents :Mr.V.Chandrasekaran
Senior Panel Counsel
for respondents 2 to 4
first respondent -Tribunal

ORDER

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

The writ petition has been filed challenging the order dated 13.08.2020 in OA.No.362 of 2020.



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2. The petitioner, after losing her legal battle before various forums, had filed the instant OA before the Tribunal seeking to convert her services into general category. The Tribunal came to the conclusion that the petitioner is not entitled for such a relief and therefore dismissed the said OA with a cost of Rs.25,000/- to be paid to the CAT Bar Association Library Fund. Aggrieved by the said order of the Tribunal, the petitioner has filed the present writ petition before this Court.

3. At this juncture, learned counsel for the petitioner has fairly admitted that the petitioner has lost before all the forums and now the only grievance of the petitioner before this Court is to modify the cost of Rs.25,000/- imposed on her by the Tribunal.

4. Considering the said request made by the learned counsel for the petitioner, the said cost imposed by the Tribunal is modified to Rs.5,000/- (Rupees Five Thousand Only) payable to the Director, Adi Dravidar Welfare Hostel, Tirunelveli.



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5. With the above modification, the writ petition stands dismissed.

There will be no order as to costs. W.M.P.Nos.16215, 16216, 16217 and 16219 of 2020 are closed.

[D.K.K., J.] [P.D.B., J.]
30.11.2023

Index : Yes/No

Neutral Citation : Yes/No

mrn

To

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