



WEB COPY



W.A. No. 2274 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

THE HON'BLE MR. JUSTICE R. MAHADEVAN
and
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.A. No. 2274 of 2023

and

C.M.P. Nos. 19501 and 19503 of 2023

The Southern Railways Persons
with Disabilities Association,
(Sl.No.SRG/185/2022)
Rep. by its General Secretary,
A.Marimuthu,
Having its office at
No.17/1, 1st Street, North Thirumalai Nagar,
Villivakkam, Chennai – 600 049.

...Appellant

-VS-

1. Union of India,
Rep. by its Chairman,
Railway Board, Rail Bhavan,
Raisina Road, New Delhi – 110 001.
2. The General Manager,
Southern Railway, Head Quarters Office,
Park Town, Chennai – 3.
3. The Principal Chief Mechanical Engineer,
Southern Railway,
6th Floor, NGO Annex, Park Town,
Chennai – 3.

4. The Chief Workshop Manager,

<https://www.mhc.tn.gov.in/judis>



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Carriage & Wagon Workshop,
Southern Railways, Perambur,
Chennai – 23.

5. The Principal Chief Personnel Officer,
Head Quarters, Southern Railways,
Personnel Department, Chennai – 3.

6. The Deputy Chief Personnel Officer,
Carriage & Wagon Workshop,
Southern Railways, Perambur,
Chennai – 23.

... Respondents

Prayer:- Writ Appeal filed under Clause 15 of Letters Patent, calling for the records of the order passed by this Court in W.M.P. No. 21047 of 2023 in W.P. No. 21675 of 2023 dated 02.08.2023, quash the same and grant interim relief as prayed.

For Appellant : Mr.Venkataramani
Senior Counsel
for Mr.M.Muthappan

For Respondents : Mr. K.Srinivasamurthy
Senior Standing Counsel

J U D G M E N T

(Judgment of the Court was made by P.D. AUDIKESAVALU, J.)

This intra-court appeal invoking Clause 15 of the Letters Patent, 1865, has been preferred against the interim order dated 02.08.2023 in W.M.P. No.21047 of 2023 in W.P. No.21675 of 2023 directing that any appointments will be subject to the result of that writ petition. The parties are hereinafter referred to as per their description in the Writ Petition for clarity and convenience.



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2. Having regard to the nature of relief sought in the Writ Petition, we are of the considered view that the interim order adequately safeguards the rights of all parties concerned and does not create any equity in favour of the promotees in the interregnum. As such, the said order does not require any interference by this Court at this pre-mature stage of the proceedings.

3. It is informed by the Learned Senior Counsel appearing for the Petitioner that necessary steps would be taken to implead those persons, who have been promoted in the Proceedings in No.CPB/P1/608/JE/PRQ dated 15.06.2023 as Respondents in the Writ Petition.

4. Learned Counsel appearing for the Respondents states that Counter-Affidavit would be filed in the Writ Petition before 14.09.2023 and a copy of the same would be furnished to the Learned Counsel for the Petitioner before the next hearing on 21.09.2023, when the writ petition is posted in the Writ Court. In such circumstances, we request the Learned Judge to take up the Writ Petition on the said date or such other date as may be convenient for early disposal of the matter.



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In fine, the Writ Appeal is dismissed with the aforesaid observations.

Consequently, connected Miscellaneous Petitions are closed. No costs.

[R.M.D., J.] [P.D.A., J.]
28.08.2023

Index : Yes/No
Neutral Citation Case : Yes/No

Maya

To

1. The Chairman,
Railway Board, Rail Bhavan,
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**R. MAHADEVAN, J.
and
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Maya

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