



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.Nos.23954, 23956, 23957, 23958 and 23960 of 2024
and W.M.P.Nos.26219, 26228, 26222, 26223 & 26225 of 2024

B.Arulmozhi Iniarasu

... Petitioner
in W.P.No.23954 of 2024

S.Thangavel

... Petitioner
in W.P.No.23956 of 2024

M.Kamalakanna

... Petitioner
in W.P.No.23957 of 2024

M.Govindaraj

... Petitioner
in W.P.No.23958 of 2024

A.Somasundaram

... Petitioner
in W.P.No.23960 of 2024

Vs.

1.The Secretary to Government,
Ministry of Finance,
Department of Revenue,
North Block, New Delhi – 110 001.



2.The Chairman

Central Board of Indirect Taxes & Customs
North Block, New Delhi – 110 001.

3.The Commissioner of GST & Central Excise, (Institu) PCCO

26/1, Mahatma Gandhi Road,
Chennai – 600 034.

4.The Commissioner of GST & Central Excise,

Chennai South Commissionerate,
MHU Complex,
No.692, Anna Salai, Nandanam,
Chennai – 600 035.

... Respondents
in W.P.No.23954 of 2024

Prayer in W.P.No.23954 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, Call for the records pertaining to the impugned speaking order dated 27.09.2022 vide GCCO.No. II/39/OTH/20/2022-CCA Estt passed by the office of the 3rd respondent and quash the same and consequently direct the 3rd respondent to regularize the services of the petitioner from the date of initial appointment dated 01.10.1997 vide C.No.I/P.R.O/1997 ESTT and confer all consequential service and monetary benefits based on the initial appointment dated 01.10.1997 within a time frame as fixed by this Court.



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Prayer in W.P.No.23956 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, Call for the records pertaining to the impugned speaking order dated 27.09.2022 vide GCCO.No. II/39/OTH/20/2022-CCA Estt passed by the office of the 3rd respondent and quash the same and consequently direct the 3rd respondent to regularize the services of the petitioner from the date of initial appointment dated 10.10.1997 vide C.No.I/P.R.O/1997 ESTT and confer all consequential service and monetary benefits based on the initial appointment dated 10.10.1997 within a time frame as fixed by this Court.

Prayer in W.P.No.23957 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, Call for the records pertaining to the impugned speaking order dated 27.09.2022 vide GCCO.No. II/39/OTH/20/2022-CCA Estt passed by the office of the 3rd respondent and quash the same and consequently direct the 3rd respondent to regularize the services of the petitioner from the date of initial appointment dated 03.01.2000 vide C.No.I/P.R.O/1997 ESTT and confer all consequential service and monetary benefits based on the initial appointment dated 03.01.2000 within a time frame as fixed by this Court.

Prayer in W.P.No.23958 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, Call for



the records pertaining to the impugned speaking order dated 27.09.2022 vide GCCO.No. II/39/OTH/20/2022-CCA Estt passed by the office of the 3rd respondent and quash the same and consequently direct the 3rd respondent to regularize the services of the petitioner from the date of initial appointment dated 06.03.2000 and confer all consequential service and monetary benefits based on the initial appointment dated 06.03.2000 within a time frame as fixed by this Court.

Prayer in W.P.No.23960 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, Call for the records pertaining to the impugned speaking order dated 27.09.2022 vide GCCO.No. II/39/OTH/20/2022-CCA Estt passed by the office of the 3rd respondent and quash the same and consequently direct the 3rd respondent to regularize the services of the petitioner from the date of initial appointment dated 03.01.2000 and confer all consequential service and monetary benefits based on the initial appointment dated 03.01.2000 within a time frame as fixed by this Court.

For Petitioner : Mr.R.Abdul Mubeen
in all W.P.s

For Respondents : Mr.K.Ramanamoorthy
in all W.Ps Standing Counsel for R1



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ORDER

These writ petitions have been filed against the proceedings of the 3rd respondent dated 27.09.2022 and for a consequential direction to the 3rd respondent to regularize the services of the petitioners from the date of their initial appointment.

2.Heard Mr.R.Abdul Mubeen, learned counsel appearing on behalf of the petitioner and Mr.K.Ramanamoorthy, learned Standing Counsel appearing on behalf of the 1st respondent.

3.In the considered view of this Court, these writ petitions are not maintainable before this Court and the petitioners will have to necessarily approach the Central Administrative Tribunal and redress their grievances. In fact, the impugned order itself came to be passed by the 3rd respondent only pursuant to an order passed by the Central Administrative Tribunal, Chennai Bench dated 08.07.2022, in O.A.No.494 of 2021.



4. In view of the above, these writ petitions are closed and liberty is granted to the petitioners to approach the Central Administrative Tribunal and workout their remedy. No Costs. Consequently, connected miscellaneous petitions are closed.

23.08.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1. The Secretary to Government,
Ministry of Finance,
Department of Revenue,
North Block, New Delhi – 110 001.

2. The Chairman
Central Board of Indirect Taxes & Customs
North Block, New Delhi – 110 001.



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3. The Commissioner of GST & Central Excise, (Institu) PCCO
26/1, Mahatma Gandhi Road,
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4. The Commissioner of GST & Central Excise,
Chennai South Commissionerate,
MHU Complex,
No.692, Anna Salai, Nandanam,
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N. ANAND VENKATESH, J.

ssr

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