



WEB COPY



W.P.Nos.26018 to 26022 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.Nos.26018 to 26022 of 2017
and
W.M.P.No.27605 to 27609 of 2017

1. Union of India,
Represented by the Director General,
Indian Council of Agricultural Research,
Krishi Bhavan,
New Delhi.

2. The Director,
Central Marine Fisheries Research Institute,
Tatapuram,
Cochin - 14.

... Petitioners in all W.P's

Vs.

S.Seetharaman

... 1st Respondent in
W.P.No.26018 of 2017

M.Bose

... 1st Respondent in
W.P.No.26019 of 2017

L.Chidambaram

... 1st Respondent in
W.P.No.26020 of 2017

Arumugam

... 1st Respondent in
W.P.No.26021 of 2017

P.Poovannan

... 1st Respondent in



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The Registrar,
Central Administrative Tribunal,
Chennai.

... 2nd Respondent in all
W.P's

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for the records relating to the order dated 29.07.2016 made in O.A.Nos.1253, 1254, 1255, 1256 & 1269 of 2014 respectively filed by the first respondent herein on the file of the 2nd respondent and quash the same.

For Petitioners	: Mr.M.T.Arunan [in all W.P's]
For Respondents	: Mr.N.Bala Muralikrishnan [For R1 in all W.P's] : R2 - Tribunal [in all W.P's]

COMMON ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The writ petitions have been instituted challenging the order dated 29.07.2016 passed by the Central Administrative Tribunal in O.A.Nos.1253, 1254, 1255, 1256 & 1269 of 2014.



2. The order impugned states that the writ petitioners/respondents before the Tribunal were not in a position to extend the benefits of the Central Administrative Tribunal, Ernakulam Bench as it was under consideration of the Hon'ble Supreme Court of India.

3. The learned counsel appearing on behalf of the respondents would submit that the Hon'ble Supreme Court disposed of the matter in the case of ***Director General, Indian Council of Agricultural Research and Another Vs. V.Ravindran*** in Civil Appeal No.4159 of 2009 dated 08.02.2023 wherein the following orders were passed:

"Therefore, in the absence of any specific reference to the educational qualifications prescribed in Appendix IV and also in view of the enhanced experience criteria prescribed in Rule 6.3 for those not possessing the educational qualifications, we do not think that the Tribunal or the High Court committed a serious error warranting interference by this Court.

It must be pointed out that the respondents were appointed more than 50 years ago and they have retired perhaps more than a decade or two ago. Learned Counsel for the Appellants expressed an apprehension that this interpretation may open a floodgate. But we are only dealing with the cases of the respondents and in particular, Rule 6.3. Therefore, we do not think that this can really open the floodgate.

This case actually arises out of the merger of two grades, namely, T-I-3 in category I and grade T-II-3 in Category II. Therefore,



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we do not think that the apprehension expressed by the learned Counsel for the Appellants will be justified.

In view of the above, the Appeals are dismissed. There will be no order as to costs.

Pending applications(s), if any, stand disposed of."

4. In view of the orders of the Hon'ble Supreme Court cited *supra*, the petitioners are directed to extend the same benefits to the respondents. The said exercise is directed to be completed within a period of four (4) months from the date of receipt of a copy of this order. Accordingly, the all the Writ Petitions are **disposed of**. No order as to costs. Consequently, all the miscellaneous petitions are closed.

[S.M.S., J.]

[M.J.R., J.]

25.11.2024

Index: Yes/No

Speaking/Non-speaking order

veda



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