



WP.Nos.25642 & 25646 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WP.Nos.25642 & 25646 of 2018
in WMP.Nos.29830 & 29823 of 2018

1. Union of India rep by
rep by the General Manager
Southern Railway,
Park Town, Chennai – 3.

2. The Divisional Personnel Officer,
Tiruchirappalli Division
Southern Railway, Trichy

...Petitioners in both cases

Versus

J.Anbazhagan

.. Respondent in WP.No.25642 of 2018

A.Athiyaman Pandian

.. Respondent in WP.No.25642 of 2018

Prayer :- Writ petitions are filed under Article 226 of the Constitution of India praying to issue writ of certiorari calling for the records in the impugned order dated 31.10.2016 made in OA.Nos.631 & 581 of 2015 respectively, on the file of the Central Administrative Tribunal, Madras



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Bench and quash the same.

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For Petitioners : Dr.S.R.Sundaram – in both cases.

For Respondents : Mr.L.Chandrakumar – in both cases.

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J]

The writ petition on hand has been instituted challenging the order of the Central Administrative Tribunal dated 31.10.2016 passed in OA.Nos.631 of 2015 and 581 of 2015.

2. The Union of India represented by the General Manager, Southern Railway is the writ petitioners before us.

3. The issue relating to grant of III MACP upgradation benefits was considered by the Tribunal, with reference to the reliefs sought for in the OAs filed by the respondents.

4. The Tribunal in para 6 of the order impugned made a finding that the issue relating to grant of III MACP upgradation was pending before the



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High Court during the relevant point of time. Thus, the Tribunal disposed of the OAs with a direction to the respondents that the impugned order in the OAs shall be reviewed by them, in the event of review petition being decided in favour of the employee similarly situated as the applicants in the OAs.

5. With reference to grant of III MACP benefits, issues are no more resintegra, as this Court passed several orders stating that the employees who have complied with the conditions stipulated under the scheme are eligible to get the benefits and it is to be extended to them. The III MACP benefits are to be granted to the employees, who have completed 30 years of service. The eligibility criteria as fixed under the scheme is to be verified with reference to the service records of the respondents.

6. The entitlement is not disputed and the eligibility alone is disputed between the parties. Thus the writ petitioners/Southern Railway is directed to verify the eligibility of the respondents with reference to their respective service records, take a decision and pass appropriate orders on merits and in accordance with the scheme. The said exercise shall be completed within a



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period of three months from the date of receipt of a copy of this order.

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7. With the above direction, the writ petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.]

[M.J.R., J.]

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