



W.P.No.3820 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.3820 of 2025
and W.M.P.No.4226 of 2025

1.The Union of India rep. by
The General Manager
Southern Railway
Park Town
Chennai 600 003

2.The Senior Divisional Personnel Officer
Southern Railway
Madurai Division
Madurai 625010

... Petitioner

Vs.

S.Murugaperumal
Station Superintendent
Pushpattur Madurai Division
Southern Railway

Also at
No.12B, Kaliammal Compound, ACC Road
Palani 624 601

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,



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praying for the issuance of Writ of Certiorari, to call for records pertaining to the order dated 01.02.2024 in O.A.No.1894 of 2017 on the file of the Central Administrative Tribunal, Chennai Bench and quash the same.

For Petitioner : Mr.S.Janarthanam

ORDER

M.S.RAMESH, J.

AND

N.SENTHILKUMAR, J.

The writ petition has been filed for the issuance of Writ of Certiorari, to call for records pertaining to the order dated 01.02.2024 in O.A.No.1894 of 2017 on the file of the Central Administrative Tribunal, Chennai Bench and quash the same.

2.The order of the Central Administrative Tribunal, Chennai Bench, which is impugned in the present writ petition is a consent order, which has been recorded as below:

"....

6.However, the learned counsels on both the sides, in union, submitted that, as an identical issue, covered under O.A.No.1628 of 2017, has been disposed of by a Bench of this Tribunal on 20.10.2023, and the present O.A. may be



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disposed of on the same lines.

7.It is also pertinent to mention here that, based on the order in O.A.No.1628 of 2017, we have disposed of the O.A.No.1693 of 2017, on 18.12.2023.

8.We have perused the order, dated 20.10.2023, passed by a Bench of this Tribunal (wherein one of us was a party - VSSK). In view of the submissions made by the parties, and since the issue has already been decided by this Tribunal and as the matter is sub-judice before the Hon'ble Supreme Court, we are of the considered opinion that the present O.A. may be disposed of as under:

The impugned order, dated 24.10.2017, rejecting the claim of the applicant for grant of III MACP w.e.f. 29.07.201 is hereby quashed and set aside. The respondents are directed to grant III MACP to the applicant in the grade pay of Rs.4800/- w.e.f 29.07.2012. The respondents are at liberty to pass appropriate orders subject to the outcome of the Civil



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*Appeal No.6011 of 2019 pending before the Hon'ble
Supreme Court.*

9.The O.A. is disposed of as above. No order as to costs."

3.When the appellants themselves have consented before the Tribunal to pass orders in terms of the earlier order passed in O.A.No.1628 of 2017, we fail to understand as to how the order could be challenged by way of an appeal. As such the appeal order does not require interference. Hence, the above writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

06.02.2025

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Index : Yes / No

Neutral Citation

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