



W.P.No.21496 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P.No.21496 of 2025

M.Mohamed Yacoob

... Petitioner

Vs.

1. Secretary To Government
Ministry Of Communications
And information Technology
Government Of India, Sachar Bhawan
20 Ashok Road, New Delhi

2. The Post Master General
O/o. Post Master General, Chennai
City Regional, Chennai 600 002.

3. Director Of Postal Services
Post Master General,
O/o Post Master General, Chennai
City Region Chennai

4. Senior Superintendent Of Police
Chennai City South Division,
Chennai

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for records pertaining to the order dated 12.11.2024 in O.A No.1679 of 2016 passed by the Central Administrative Tribunal and to quash the same and to allow the original application as prayed for.

For Petitioner : Ms.Kavitha Y
for PVS Giridhar Associates Law
Chambers

For Respondents : Mr.B.Rabu Manohar
Senior Standing Counsel for R1 to R4

ORDER

(Order of the Court was made by M.S.RAMESH.J.)

This Writ Petition has been filed to issue a writ of certiorarified mandamus, calling for records pertaining to the order dated 12.11.2024 in O.A No.1679 of 2016 passed by the Central Administrative Tribunal and to quash the same.

2. Heard Ms.Kavitha.Y, learned counsel for the petitioner and Mr.B.Rabu Manohar, learned Senior Standing Counsel appearing for the respondents 1 to 4.



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3. The punishment of compulsory retirement, though interfered with by the Central Administrative Tribunal in its order passed in O.A.No.844 of 2007 dated 17.07.2008, was accompanied by a specific finding of the Tribunal that the setting aside of the order of punishment would not amount to total exoneration. This observation was also taken note of by the Co-ordinate bench of this Court when the department challenged the aforesaid order of the Tribunal, and it was recorded that the denial of back wages to the petitioner herein was on account of the finding of the Tribunal that there was no total exoneration.

4. The petitioner herein now claims for notional award of annual increments for the purpose of re-fixation of his pensionary benefits.

5. As stated above, since the employee has not been fully exonerated, he would not be entitled to receive any wages or other monetary benefits. As a matter of fact, Fundamental Rule 54(2) specifically states that only when the order of reinstatement is set aside and the employee is fully exonerated, would the Government servant be entitled to full pay and allowances.



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6. In this background, we are not inclined to entertain the prayer sought for in the present Writ Petition. Accordingly, this Writ Petition stands dismissed. No Costs.

[M.S.R., J] [V.L.N., J]

18.06.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No
Anu

To

1. The Secretary To Government
Ministry Of Communications
And information Technology
Government Of India, Sachar Bhawan
20 Ashok Road, New Delhi

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4.The Senior Superintendent Of
Police,
Chennai City South Division,
Chennai

5.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
V. LAKSHMINARAYANAN, J.

Anu

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