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W.P.No.38828 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.38828 of 2016
and W.M.P.No.33285 of 2016

Union of India,
rep. by the Chief Workshop Manager,
Carriage and Wagon Works, Southern Railway,
Perambur, Chennai – 600 023.

... Petitioner

Vs.

1.The Registrar,
Central Administrative Tribunal,
Madras Bench, Chennai – 600 104.

2.T.Devan

3.State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai – 600 009.

... Respondents

*[R3 – Suo Motu impleaded as per order dated 12.12.2017 by HGRJ & TKRJ
in WP.Nos.29316, 33061, 35273, 38828 & 40214 of 2016]*

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Certiorari, calling for the entire records of



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the 1st respondent in O.A.No.1508 of 2013 including the order dated 14.03.2016 and quash the same.

For Petitioner : Mr.P.T.Ram Kumar,
Standing Counsel for Railways

For R1 : Tribunal

For R2 : Mr.M.Radhakrishnan (No appearance)

For R3 : Mrs.V.Yamuna Devi,
Special Government Pleader

ORDER

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

The second respondent herein, while working as a senior technician under the petitioner/Carriage and Wagon Works, was alleged to have submitted a bogus community certificate, certifying him to belong to Scheduled Tribe community and ultimately, got superannuated on 30.06.2012. Thereafter, when he was called to appear for an inquiry in this regard, he has challenged the same before the Central Administrative Tribunal (CAT) in O.A.No.1508 of 2013. Simultaneously, his community certificate was referred to the third respondent/State Level Scrutiny Committee for verification. The CAT, through its order dated 14.03.2016, had allowed the original application and directed the petitioner to release the



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retirement benefits to the second respondent herein. Challenging the aforesaid order of the CAT, the present Writ Petition has been filed.

2. It is now stated that when the second respondent herein had reached the age of superannuation, he was extended with the provisional pension but his other retirement benefits were withheld.

3. Today, when the matter was called, the learned Special Public Prosecutor appearing for the third respondent produced a copy of the proceedings of the Tamil Nadu State Level Scrutiny Committee-II, dated 23.10.2024 in Proceedings No.21651/CV-3 (1)/2011-23, wherein, the second respondent's community of Hindu 'Kurumans' Scheduled Tribe has been verified and the same was concluded as genuine.

4. When the very basis on which the petitioner has initiated the proceedings against the second respondent herein, on a claim that his community certificate was bogus, has now been held to be genuine, there cannot be any other impediment for the petitioner to release the other retirement benefits of the second respondent herein.



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5. Accordingly, no interference is required to the order of the Central Administrative Tribunal dated 14.03.2016 passed in O.A.No.1508 of 2013 and hence, the Writ Petition stands dismissed. Consequently, the petitioner is directed to forthwith disburse the entire retirement benefits to the second respondent herein, including the pensionary benefits, within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

11.03.2025

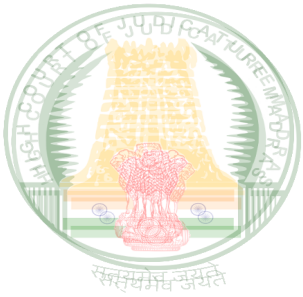
Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

Internet: Yes/No

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To

1.The Chief Workshop Manager,
Union of India,
Carriage and Wagon Works, Southern Railway,
Perambur, Chennai – 600 023.

2.The Registrar,
Central Administrative Tribunal,
Madras Bench, Chennai – 600 104.

3.State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
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M.S.RAMESH, J.
and
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