

W.P.No.3100 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.3100 of 2025
and W.M.P.No.3406 of 2025

1.The Union of India Southern Railway,
Represented by the General Manager,
Park Town, Chennai.

2.The Chief Personnel Officer,
Southern Railway,
Park Town, Chennai.

3.The Assistant Personnel Officer/G/MAS
SR/Divisional Personnel Officer/MAS
Divisional Railway Manager Officer,
Personnel Branch, MAS Divn,
Chennai.

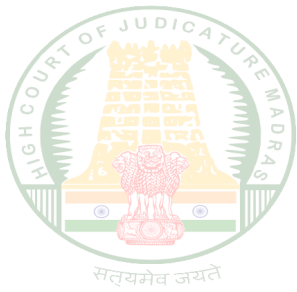
... Petitioners

Vs.

K.Vijay Kumar

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, to call for the records of the Tribunal in its impugned order dated 23.01.2024 in O.A.No.300 of 2023 passed by the Central Administrative Tribunal, Chennai Bench and to quash the same.



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For Petitioners

: Mr.M.Karthikeyan

ORDER

(Order of this Court was delivered by M.S.RAMESH.J.)

This Writ Petition has been filed to call for the records of the impugned order dated 23.01.2024 in O.A.No.300 of 2023 passed by the Central Administrative Tribunal, Chennai, and to quash the same.

2. The respondent's father, whose original name was 'V.Mohanraj', had changed his name to 'V.Kumar', and same was also published in the Tamil Nadu Gazatte Publication dated 10.08.2011. While in service, he had expired on 10.05.2011. The respondent herein, who is the son of the late employee of the appellants department, claimed appointment on compassionate grounds. His claim was rejected by the appellants on 11.07.2022, stating that the respondent had submitted fraudulent documents to substantiate that 'Mr.V.Mohanraj' and 'Mr.V.Kumar' are one and the same persons. Aggrieved by the same, the respondent filed O.A.No.300 of 2023 before the Central Administrative Tribunal, and the Tribunal had set aside the order of the appellants herein on 23.01.2024, which order is assailed in this Writ Petition. The only ground raised in



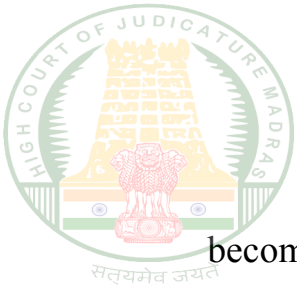
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this petition is that the documents furnished by the respondent herein to substantiate that 'V.Mohanraj' and 'V.Kumar' are one and the same, are not genuine documents, which was the same ground raised before the Central Administrative Tribunal.

3. Heard the learned counsel for the appellants and have perused the documents.

4. We find from the records that the respondent herein had earlier filed a suit in O.S.No.204 of 2016 on the file of the learned District Munsif Court, Ponneri seeking for a declaration to declare that 'Mr.V.Mohanraj' and 'Mr.V.Kumar' are one and the same persons. In the said suit, the appellants herein / Southern Railway were arrayed as defendants 3 and 4. Pending suit, the matter was referred to the lok adalat and by an award dated 11.12.2019, the suit was decreed as prayed for.

5. We fail to understand as to how the appellants are now justified in challenging the order of the Central Administrative Tribunal, when they were a part of a civil court decree, where they had consented for the relief sought for by the respondent herein. The award of the lok adalat has



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become final. While that being so, the appellants herein will not have any legal right to assail the order impugned before the Central Administrative Tribunal.

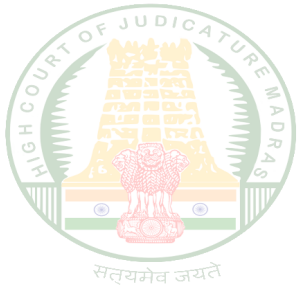
6. In this background, we do not find any merits in this appeal and accordingly, the Writ Petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

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

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

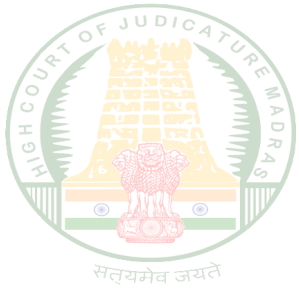
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and
N.SENTHILKUMAR, J.

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