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W.P.No.9300 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

**THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR. JUSTICE K.KUMARESH BABU**

**WP No. 9300 of 2024
and
WMP No. 10317 of 2024**

1. Union of India,
Rep. by the Secretary to Govt of India,
Ministry of Defence, South Block,
DHQ PO, New Delhi -110 011.

2.The Directorate General of Ordnance
Services,
Master General of Ordnance Branch,
IInd Floor, "A"- Wing, Sena Bhavan,
Integrated HQ of MoD (Army),
DHQ PO, New Delhi -110 011.

3.The Commandant,
Ordnance Depot, Avadi,
C/o.56 APO, Pin - 600 055.

Petitioners

Vs.

1. A.Thanaraj,
T.No. 14106 (Retired),
Rank : Tent Mender, Ordnance Depot Avadi,
IAF Post, Avadi, Chennai - 600 055.

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

Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records pertaining to the order dated 24.03.2023 passed in O.A.No.179 of 2016 on the file of the 2nd respondent the Hon'ble Central Administrative Tribunal, Chennai Bench and quash the same.

For Petitioners : Mr.G.Ilangovan

For R1 : M/s.N.Fidelia

For R2 : Tribunal

ORDER

(Order of the Court was made by K.KUMARESH BABU, J.)

This writ petition has been filed to call for the records pertaining to the order dated 24.03.2023, passed in O.A.No.179 of 2016, on the file of the second respondent, the Central Administrative Tribunal, Chennai Bench and quash the same.

2.Heard the learned counsel for the petitioners and the learned counsel for the first respondent.

3.Mr.G.Ilangovan, the learned counsel for the petitioners would submit that the first respondent was appointed as Mazdoor on 25.09.1989 and was promoted as Tent Mender (Semi-Skilled) in June 2000 and was further



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promoted as Tent Mender (Skilled) on 29.06.2003. He would further submit that subsequently, the first respondent's promotion was cancelled on 16.06.2004. As the promotion order was cancelled vide proceedings dated 16.06.2004, whereby, all the benefits of the promotion were withdrawn and the first respondent was reverted to the post of Tent Mender (Semi-Skilled). He would submit that a policy decision was taken pursuant to the Sixth Pay Commission recommendation and the employees in the category of Tailors (Semi-Skilled) and Skilled were classified as Skilled, whereas, the Tent Menders were only classified as Semi-Skilled and not Skilled. Placing reliance upon the earlier orders, the Tribunal had directed to extend the benefit of Skilled Grade to the first respondent that too from the date of his original promotion, on 29.06.2003, together with all attendant benefits including the three grade structure promotion together with arrears of pay till date. He would submit that the nomenclature of the post Tent Menders itself would suggest that they have been appointed only to repair the Tents and not to make a Tent and therefore, the nature of the work is only Semi-Skilled and not Skilled. This aspect had been completely overlooked by the Tribunal in granting the Skilled grade to the first respondent. Hence, he would seek indulgence of this Court in the order impugned.



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4. Countering his arguments, Ms.N.Fidelia, the learned counsel appearing for the first respondent would submit that the issue is no longer *res integra* as even in the impugned order, the Tribunal has noted various orders of the other Central Administrative Tribunals in granting the relief to the first respondent. She would further submit that the issue with regard to treating the Tent Menders as Skilled had also reached the Hon'ble Apex Court in SLP No.647 of 2007, wherein, by an order dated 04.09.2009, the Hon'ble Apex Court had upheld the judgment of the Delhi High Court in W.P.No.9539 of 2003, dated 19.04.2006, which held the Tent Menders also to be a Skilled workers. The learned counsel would also plead this Court to take judicial notice of the fact that the Central Administrative Tribunal, New Delhi, in O.A.No.179/2016 had recorded a factual finding that in letter dated 16.04.1999, the duties of Tailors and Tent Menders are similar. In that context, she would submit that there is no infirmity or irregularity in the orders passed by the Tribunal and hence prayed this Court to dismiss the writ petition.

5. We have considered the submissions on either side. A perusal of the order impugned here would indicate that the issue as to whether the Tent Menders are Skilled workers had been initially settled by the Central



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Administrative Tribunal, New Delhi in O.A. No.762 of 2002, dated 02.12.2002. From a perusal of the extracts made in the impugned order, it could be seen that the Central Administrative Tribunal, New Delhi, had relied upon a letter dated 16.04.1999 issued by the petitioners herein, indicating that the duties of Tent Menders and Tailors are similar. Upon which, directions were issued to declare the Tent Menders as also skilled workers.

6.The aforesaid order had been challenged before the Delhi High Court in W.P.No.9539 of 2003, wherein by an order dated 19.04.2006, the Delhi High Court had affirmed the order of the Central Administrative Tribunal, which was also carried on in challenge before the Hon'ble Apex Court in SLP No.647 of 2007 and by an order dated 04.09.2009, the same came to be dismissed. Thereafter, the Central Administrative Tribunals at Chandigarh, Guwahati and New Delhi had also issued similar directions. The Tribunal only after noting all those judgments and also the letter of the petitioners dated 16.04.1999, had granted the relief as sought for by the first respondent. In such view of the matter, we do not find any infirmity or irregularity in the order impugned in this writ petition.



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7. In fine, this writ petition stands dismissed and there shall be a direction to the petitioners to comply with the directions issued by the Tribunal within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is also closed.

(C.V.K.J.,) (K.B.J.,)
[22.01.2026]

Index : Yes / No

Neutral citation : Yes / No

Speaking / Non-speaking order
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To

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



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