



WEB COPY

WP No. 18069 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

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THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

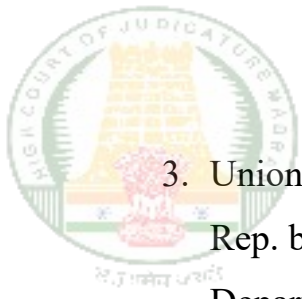
**WP No. 18069 of 2024
and
W.M.P.No.19860 of 2024**

1. The Chief General Manager,
Chennai Telephones, No. 78,
Purashawakkam High Road, Chennai.
2. The Deputy General Manager (HR/ Admn)
BSNL, Chennai Telephones, No 89 Millers
Road, Chennai.

..Petitioner(s)

Vs

1. The Registrar,
Central Administrative Tribunal,
Chennai Bench, Chennai.
2. A Balasundaramoorthy,
S/o Arjunan, Driver (Retired), E 54E,
Nethaji Circle, BSNL Staff Quarters, Anna
Nagar, Chennai.



3. Union of India,
Rep. by Secretary to Government,
Department of Telecommunication,
Sanchar Bhavan, 20, Ashoka Road,
New Delhi.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records of the order dated 02.01.2024 made in O.A.No.1134 of 2019 on the file of the Central Administrative Tribunal, Chennai Bench and quash the same.

For Petitioner(s): Mr.S.Gopinathan

For Respondent(s): R1 - Tribunal
R2 – Mr.R.Rengaramanujam
R3- Not ready in notice

ORDER

(Order of the Court was made by K.Kumaresh Babu J.)

The writ petition has been filed, seeking a writ of Certiorari, to quash the order dated 02.01.2024 made in O.A.No.1134 of 2019 on the file of the Central Administrative Tribunal, Chennai Bench.

2. The learned counsel for the petitioner would submit that the second respondent herein had applied for the post of Driver pursuant to a Notification



issued by the Department of Telecom Service (hereinafter referred to as “DoT”) and was issued with an offer of appointment on 14.07.2000, intimating him that he was provisionally selected for appointment as “Driver(Ordinary Grade)” in the Chennai Telecom District, subject to police verification of character and antecedents. Bharat Sanchar Nigam Limited (hereinafter referred to as “BSNL”) came into existence on 01.10.2000 and all staffs who were on the rolls of DoT as on the said date were invited for exercising option, either for absorption into BSNL or to remain in DoT. As on 01.10.2000, the 2nd respondent was not on the pay rolls of DoT and therefore, there was no question of his exercising any option for absorption to BSNL or to remain with the DoT. The 2nd respondent was issued with an order of appointment on 13.11.2000 with effect from 23.10.2000. Even though the initial Presidential order benefited him with the Old Pension Scheme, the said Presidential Order was subsequently declared as null and void and revised pension orders were directed to be issued. However, the 2nd respondent was not converted as an EPF beneficiary and continued to make GPF contribution till December 2018 and his GPF account was settled in April 2019 on account of his superannuation on 30.03.2019.

3. The learned counsel for the petitioner would further submit that after BSNL came into existence, employees appointed subsequent to 01.10.2000 and who had exercised their option for migrating to BSNL were placed under the EPF scheme. He would submit that the 2nd respondent, having been appointed



after 01.10.2000, is not entitled for the benefits of GPF scheme and would only be entitled to the EPF scheme. He would vehemently contend that the Tribunal erred in relying upon the judgment of the Hon'ble Apex Court in the case of ***P.Ranjitharaj Vs. State of Tamil Nadu*** reported in ***2022 SCC OnLine SC 508*** to grant benefit to the 2nd respondent.

4. Relying upon the Division Bench Judgment of the Jharkhand High Court, he would submit that the employees, who have been appointed after 01.10.2000 would only be entitled to the EPF Scheme and not the GPF scheme. Hence, he seeks interference with the order impugned in this writ petition.

5. Countering the said arguments, the learned counsel appearing for the 2nd respondent would submit that the 2nd respondent was originally selected pursuant to an order of appointment dated 14.07.2000, much before the BSNL came into existence. He would further submit that the delay in police verification was not attributable to the second respondent. He would further submit that the second respondent, having been appointed along with others selected under the same selection process conducted by DoT and extended the benefit of GPF, cannot be denied the same benefit granted to similarly placed persons.



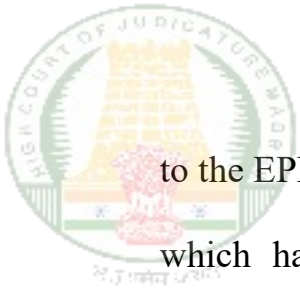
6. In this context, reliance was placed on the judgment of the Hon'ble Apex Court in the case of ***P.Ranjitharaj Vs. State of Tamil Nadu*** (cited supra).

He would further contend that the subsequent Presidential order, cancelling the earlier order was never served upon the 2nd respondent. He would further submit that even assuming that there was such an order, the same had not been implemented till the superannuation of the 2nd respondent and the 2nd respondent was granted all terminal benefits based upon the GPF scheme applicable to the DoT employees. Therefore, he would submit that there is no infirmity or irregularity in the order impugned warranting interference by this Court.

7. We have considered the submissions made by the learned counsel appearing on either side and perused the materials placed on record.

8. The facts relating to the date of initiation of the selection process, the date of appointment and the benefits extended to the 2nd respondent under the order of appointment had not been disputed.

9. It is also not disputed that the candidates, who had participated along with the 2nd respondent and who were issued appointment orders prior to 01.10.2000 were all given the benefit of the GPF scheme applicable to DoT employees. It is further not disputed that till the date of superannuation, the 2nd respondent had been only placed under the GPF scheme and was not migrated



to the EPF scheme. In spite of the order of cancellation of the Presidential order, which has issued on 23.08.2008, no steps were taken to migrate the 2nd respondent to the scheme applicable to BSNL employees.

10. The reliance placed upon by the learned Standing Counsel appearing for the petitioner cannot also be made applicable to the facts of the present case. A perusal of the said judgment would clearly indicate that the employees concerned in the said writ petition were all appointed pursuant to the recruitment that was undertaken by the BSNL even though on the advertisement for recruitment issued by the DoT and all were appointed only in the year 2002.

11. The Hon'ble Apex Court in the case of ***P.Ranjitharaj Vs. State of Tamil Nadu*** (cited supra), after analysing the issue therein, had held that the candidates who have been selected under a selection process and whose appointments were delayed for reasons not attributable to them are entitled to service benefits on par with others appointed under the same selection process.

12. We are of the considered view that the said judgment would be squarely applicable to the facts of the present case.



13. For the aforesaid reasons, we do not find any infirmity in the order impugned in this writ petition and accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(C.V.K.,J.) (K.B.,J.)
28-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Registrar,
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2. A Balasundaramoorthy,
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3. The Secretary to Government,
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K.KUMARESH BABU, J.**

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