



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON :	05.02.2026
PRONOUNCED ON :	26.02.2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

WP Nos. 27876, 29872 of 2023 & 1331 of 2025

and

W.M.P.Nos. 27370, 29476 of 2023 & 1585 of 2025

W.P.No.27876 of 2023:

1. Union of India
Rep By The Secretary, Ministry of
Communications and I.T.,
Department Of Posts, Dak Bhavan,
Sansad Marg, New Delhi - 110 001.
2. The Chief Postmaster General,
Tamil Nadu Circle, Anna Road,
Chennai 600 002.
3. The Postmaster General,
Southern Region (TN Circle),
Madurai - 625 002.
4. The Postmaster General,
Central Region (TN),
Tiruchirapalli - 620 001.

..Petitioner(s)

Vs

1. M.Shanmugam
2. E.R. Mohamed Khaja Mohideen



3. K. M. Abubacker

4. Tharves Abdul Hameed

5. S. Joseph

6. S. Thiruvalli Perumal

7. A. Ramasundaram

8. W. Karuppasamy

9. N. Balamugandan

10. S. Irudaya Anotony

11. S. Namasivayam
S/o Subramanian No 334 Thangamman Koil
Street Vikramasingapuram 627 425

12. K. Essakkimuthu

13. D. Thomas Arputharaj Moses

14. R. Nadarajan

15. D. Kumarakurubaran

16. V. Samuelsundaram

17. R. Mohamed Barook

18. M. Sivan

19. A. Petchiappan

20. K. Lakshmanan

21. U. Kulandaivelu

22. G. T. Edwin

23. A. Jabrudeen



24.GK Rangarajan

25.U. Krishnan

26.A. Murugan-II

27.R. Anadaperumal

28.R. Sivagnanam

29.S. Pandi

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the order passed by the Central Administrative Tribunal, Chennai, in OA. No 1606 of 2015 dated 03.02.2023, quash the same.

For Petitioner(s): Mr.V.Chandrasekaran

For Respondent(s): Mr.R.Malaichamy
(For R1, R4, R6, R8, R9,
R12, R13, R20, R23, R25, R24)

W.P.No.29872 of 2023:

1.Union of India,
Rep.by the Secretary,
Ministry of Communications and
Information Technology,
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi – 110 001.

2.The Chief Post Master General,
Tamil Nadu Circle,
Anna Salai,
Chennai – 600 002.



3.The Post Master General,
Southern Region (T.N.Circle)
Madurai – 625 002.

...Petitioner(s)

Vs.

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

2.S.Ramapandian

3.A.Jeyasingh

..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 relating to the impugned order passed by the 1st respondent in O.A.No.1574 of 2015 dated 03.02.2023 and quash the same.

For Petitioner(s): Mr.C.Samivel

For Respondent(s): Mr.R.Malaichamy
(For R2)
R1 – Tribunal
R3 – Died

W.P.No.1331 of 2025:

1.Union of India,
Rep.by the Secretary,
Ministry of Communications & I.T.,
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi – 110 001.

2.The Chief Postmaster General,
Tamil Nadu Circle,
Anna Road,



Chennai – 600 002.

3.The Postmaster General,
Southern Region (TN Circle)
Madurai – 625 002.

4.The Postmaster General,
Central Region (TN)
Tiruchirapalli – 620 001.

..Petitioner(s)

Vs

1.S.Arokiam @ Selvaraj

2.M.Devamani

3.R.Anandakrishnan

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the order passed by the Central Administrative Tribunal, Chennai in O.A.No.949 of 2016 dated 03.02.2023, quash the same.

For Petitioner(s): Mr.V.Chandrasekaran

For Respondent(s): R1 – Died
RR2 to R4 to R6 – Served – No appearance
R5 – Not ready in notice

COMMON ORDER

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

All the three writ petitions have been filed to quash the order of the Central Administrative Tribunal, Chennai Bench dated 03.02.2023 made in OA.No.1606 of 2015, O.A.No.1574 of 2015 and O.A.No.949 of 2016 respectively.



2. These three writ petitions revolve on the same issue of the entitlement of the private respondents to claim revision and re-fixation of their service benefits. Hence, with the consent of the learned counsels appearing on either side, these three writ petitions are taken up together and disposed of by this common order.

3. The respective learned counsels, who had appeared for the writ petitioners would submit that the private respondents have all superannuated from service during different periods and they had approached the Tribunal, seeking relief for revision and re-fixation of pensionary benefits based upon an order of the Central Administrative Tribunal, Cuttack Bench. They would submit that such claim made by the private respondents is wholly hit by the principles of delay and laches and that apart, they are rank fence-sitters, which fact has been lost sight of by the Tribunal, while issuing directions to revise and re-fix their pensionary benefits under the impugned orders. They had also heavily relied upon a Division Bench judgment of this Court in ***The Chief Postmaster General Vs. P.Krishnamurthi dated 20.11.2023 made in W.P.Nos.31098 and 31282 of 2019.***

4. On the other hand, it is the contention of the learned counsel appearing on behalf of the respondents that even though the Cuttack Bench had passed an



order as early as in the year 2008, the same was the subject matter of challenge before the High Court of Orissa, which came to be disposed of in the year 2012 and thereafter, a decision had been taken by the Department to implement the orders to the benefit of the employees in the year 2015. Hence, they immediately made a request to extend the benefits to the respondents as they are similarly placed.

5. He further submit that reliance had also been placed by the Tribunal on a judgment of the Hon'ble Apex Court, in *Inder Pal Yadav and others Vs. Union of India and others*, reported in *[1985 2 SCC 648]*, where, the Hon'ble Apex Court had upheld the right of an employee, who was similarly placed and held that they cannot be allowed to be in disadvantageous position of a similarly placed persons. He would further submit that in the Division Bench judgment relied upon by the petitioners, there has been no appearance on the side of the respondents there to put forth their submissions, particularly, with regard to the right of an employee to be benefitted with the benefits that had been granted to similarly placed persons and therefore, would request this Court not to take the said judgment as a precedent to deny the relief that had been granted by the Tribunal. He had further relied upon the judgment of the Hon'ble Apex Court in *Union of India and others Vs. Tarsem Singh* reported in *[2008 8 SCC 648]*, in support of his contention.



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

7. The respective learned counsels appearing for the petitioners have strongly relied upon the Division Bench judgment of this Court, which had interfered with the directions issued by the Tribunal in a similar set of facts. As rightly pointed out by the learned counsel appearing for the respondents, the Division Bench had not taken a note of the orders of the Cuttack Bench, which has been upheld by the High Court of Orissa and its implementation by the Department in the year 2015. The Tribunal had also relied upon the judgment of the Hon'ble Apex Court reported in *[1985 2 SCC 648]* (cited *supra*), to grant relief to the private respondents, as they are also similarly placed persons, who had been given the monetary benefits pursuant to such implementation. The Hon'ble Apex Court in *Union of India and others Vs. Tarsem Singh* (cited *supra*) had also categorically held that if the issue relates to re-fixation of pay or pension, relief may be granted in spite of delay, as it does not affect rights of third parties, such as seniority or promotion, which would affect others, in view of the delay. In the said case, the arrears were also restricted to three years either before the date of filing of the writ petition or from the date of demand, whichever is lesser.



8. The Tribunal had rightly granted the relief as claimed by the private respondents, as they are similarly placed employees, who were given the benefit by the Courts and implemented by the Department. However, we are of the considered view that after such revision and re-fixation, they would be entitled for monetary benefits only for three years preceding the date of their approaching the Tribunal or if their superannuation precedes three years from such date and if it is within three years, they would be entitled for arrears from the date of their superannuation. For the aforesaid reasons, the directions issued by the Tribunal stands modified to that extent.

9. With the aforesaid modifications, all the three writ petitions stand dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(C.V.K.,J.) (K.B.,J.)
26-02-2026

Index: Yes
Speaking order
Neutral Citation: Yes

kak



To

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



WEB COPY

WP Nos. 27876, 29872 of 2023 & 1331 of 2



**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

kak

**WP Nos. 27876 29872 of 2023
& 1331 of 2025**

26-02-2026