



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.Nos.39471, 39475 & 38771 of 2025

and

W.M.P.Nos.44324, 44331 & 43383 of 2025

W.P.No.39471 of 2025

1. Union of India,
Rep.by its Director,
Ministry of Shipping,
Transport Bhawan,
Parliament Street, New Delhi.
2. The Director General,
Department of Lighthouses & Light Ships,
Ministry of Shipping "Deep Bhawan"
A-13, Sector 24, Dt Gautham Budhnagar,
Noida, Uttar Pradesh.

..Petitioner(s)

Vs

1.S.G.Malpathak

..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 pertaining to the orders passed by the Hon'ble Central Administrative Tribunal, Chennai dated 08.04.2025 in O.A.No.310/00621/2017 and quash the same as illegal, arbitrary, beyond jurisdiction.



W.P.No.39475 of 2025

1. Union of India,
Rep.by its Director,
Ministry of Shipping,
Transport Bhawan,
Parliament Street, New Delhi.
2. The Director General,
Department of Lighthouses & Light Ships,
Ministry of Shipping “Deep Bhawan”
A-13, Sector 24, Dt Gautham Budhnagar,
Noida, Uttar Pradesh-201301.

..Petitioner(s)

Vs

1.G.Somarajan

..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 pertaining to the orders passed by the Hon’ble Central Administrative Tribunal, Chennai dated 08.04.2025 in O.A.No.310/00622/2017 and quash the same as illegal, arbitrary, beyond jurisdiction.

W.P.No.38771 of 2025

1. Union of India,
Rep.by its Director,
Ministry of Shipping,
Transport Bhawan,
Parliament Street, New Delhi 110 001.
2. The Director General,
Department of Lighthouses & Light Ships,
Ministry of Shipping “Deep Bhawan”
A-13, Sector 24, Dt Gautham Budhnagar,
Noida, Uttar Pradesh-201301.

..Petitioner(s)



Vs

1.Shri.R.K.Varadaraj
2.Shri R.M.Kalailigam
3.Shri.T.Ramados (Died)
4.Shri.V.Pachinathan
5.R.V.Priyadarshini
6.R.Parvathavarshini
(R5, R6 are substituted as Lrs of
deceased third respondent vide order
dated 17.02.2026 made in
W.M.P.No.6832/2026 in W.P.No.38771/2025)

..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 pertaining to the orders passed by the Hon'ble Central Administrative Tribunal, Chennai dated 08.04.2025 in O.A.No.310/00320/2017 and quash the same as illegal, arbitrary, beyond jurisdiction.

For Petitioner(s): Mr. K.Srinivasa Murthy
(in all W.Ps)

For Respondent(s): Mr.K.M.Ramesh
Senior Counsel
For Mr.V.Subramani
(in all W.Ps)

COMMON ORDER

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

These writ petitions have been filed to quash the orders of the Central Administrative Tribunal, Chennai dated 08.04.2025.

2. Heard the learned counsel for the petitioners and learned Senior Counsel appearing on behalf of the respondents.



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3. The learned counsel for the petitioners would submit that the respective respondents in the writ petitions had retired from service on various dates and two of the respondents had approached the Central Administrative Tribunal and made a representation for revision of pay scales with all consequential benefits, including revision of pension, based upon the judgment of the Gujarat High Court. He would submit that the said representations were rejected by the petitioners and, being aggrieved by the same, they had approached the Tribunal, whereunder the impugned orders have been passed.

4. He would submit that the petitioners are rank fence-sitters and cannot be granted the relief as claimed by them when they had superannuated from service long time back, and that the Tribunal, without considering the same, had directed the petitioners to extend the benefits of the revised pay scales for the posts of Director and Deputy Director together with payment of arrears and all other consequential benefits, including revision of pension, as granted to an employee by the Gujarat High Court. He would submit that the Tribunal had blindly overlooked the fact that the respondents had slept over their rights. Even assuming that the respondents are entitled to the relief, they would be entitled only to monetary benefits preceding three years from the date when they had approached the Tribunal, by applying the ratio of law laid down by the Apex



Court reported in *Union of India & Anr. v. Tarsem Singh*, reported in (2018) 8 SCC 648. Hence, he seeks interference with the orders impugned before the Tribunal.

5. Countering his arguments, the learned Senior Counsel appearing for the private respondents would contend that the issue that was resolved by the Gujarat High Court had come to be implemented by the Department only in the year 2018. As the respondents had already made a representation and had approached the Tribunal, they cannot be non-suited on the ground of delay and laches.

6. He would submit that the very same issue had been decided by a Division Bench of the Delhi High Court in W.P.(C) No.1854 of 2019 batch, by order dated 04.10.2023. The judgment of the Gujarat High Court was held to be a judgment in rem, applicable to all employees similarly placed and the reliance placed upon by the learned counsel for the petitioner was held not to be applicable to the facts of the case, and there was a direction to grant the benefits as directed by the Gujarat High Court to the petitioners therein.

7. The learned Senior Counsel would further submit that the Special Leave Petition filed by the Government against the said order also came to be dismissed by the Hon'ble Apex Court on 30.08.2024. He also relied upon an



office order which had implemented the order of the Delhi High Court dated 06.02.2025.

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8. He would submit that when the judgment of the Gujarat High Court had been declared to be a judgment in rem, all persons similarly placed like the petitioners before the Gujarat High Court would be entitled to the benefits. Hence, he seeks dismissal of the writ petition.

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

10. It is not in dispute that a similarly placed person like that of the respondents had been granted relief by the Gujarat High Court and the same came to be implemented in the year 2018. Even in the judgment relied upon by the petitioner, reported in *Union of India & Anr. v. Tarsem Singh* (cited *supra*), it could be seen that the Hon'ble Apex Court had categorically held that when similarly placed persons have been given relief, on the grounds of delay and laches. Such relief should not be denied to others, as it would amount to discrimination; however, the Hon'ble Apex Court had restricted the payment of arrears to a period of three years either prior to the date of such representation or approaching the Court, whichever is earlier.



13. We do not find any reason to differ from the judgment of the Delhi High Court and, in that aspect, we do not find any illegality or infirmity in the order impugned herein.

14. In fine, the writ petitions stand dismissed. There shall be no order as to costs. As a sequel, there shall be a direction to the petitioners to comply with the directions issued by the Tribunal within a period of three (3) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

(C.V.K.,J.) (K.B.,J.)
25-02-2026

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

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To

The Central Administrative Tribunal,
Chennai.

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W.P.Nos.39471, 39475 & 38771 of 2



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

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