



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 30.04.2026**

CORAM

**THE HON'BLE MR.JUSTICE P.VELMURUGAN**

**and**

**THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

**W.P.No.41581 of 2025**

**and**

**W.M.P.No.46602 of 2025**

1. Union of India  
Rep.by the Chairman,  
Railway Board,  
New Delhi.
2. The General Manager,  
Southern Railway,  
Park Town, Chennai – 3.
3. The Sr.Divisional Personnel Officer,  
Madurai Division, Southern Railway.

..Petitioner(s)

Vs

R.Kumar  
Retd., Station Master  
Madurai Division,  
Southern Railway.

..Respondent(s)

**Prayer:** Writ Petition is filed under Article 226 of Constitution of India, praying to issuance of Writ of Certiorari, to call for the records of O.A.No.1168 of 2017 dated 27.09.2024 passed by the Tribunal, Chennai, thereby quashing the impugned order.



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For Petitioner(s): Mr.K.Ramanamoorthy  
For Respondent : Mr.L.Chandrakumar

## **ORDER**

**(Order of the Court was made by P.Velmurugan J.)**

This Writ Petition is directed against the order dated 27.09.2024 passed by the Central Administrative Tribunal, Chennai, in O.A.No.1168 of 2017, whereby the Tribunal allowed the claim of the respondent for grant of third financial upgradation under the Modified Assured Career Progression Scheme (MACP) in the Grade Pay of Rs.4,800/- with effect from 01.09.2008, together with all consequential benefits.

2. The respondent was initially appointed as Assistant Station Master in the Madurai Division of Southern Railway and was absorbed in the said post on 18.03.1981. Subsequently, he was promoted as Station Master Grade-III in the scale of Rs.425-640 (IV Central Pay Commission) w.e.f. 23.12.1983. Thereafter, promoted as Station Master Grade-II in the scale of Rs.1600-2660 (IV Central Pay Commission) w.e.f. 25.11.1996, which was later revised as Rs.5500-9000 under the V Central Pay Commission. Upon implementation of VI Central Pay Commission, the pay scales of Rs.5000-8000 and Rs.5500-9000 were merged and upgraded to Rs.6500-10500, and the respondent's pay was



accordingly fixed in the scale of Rs.6500-10500 in the year 2005. Thereafter, he was promoted as Station Master Grade-I in the Pay Band of Rs.9300-34800 with Grade Pay of Rs.4600. While serving in the said post, he was declared medically unfit on 17.11.2008 and continued in a supernumerary post until he opted for voluntary retirement on 31.10.2013. While that being so, the respondent approached the Tribunal and filed O.A.No.1168 of 2017 seeking grant of the third financial upgradation under the MACP Scheme in the Grade Pay of Rs.4,800/- with effect from 01.09.2008. The Tribunal, without properly appreciating the service particulars and the applicable rules governing the MACP Scheme, allowed the application. Aggrieved by the same, the present writ petition has been filed.

3. Mr.K.Ramanamoorthy, learned counsel for the petitioners submitted that respondent became entitled for the third financial upgradation only after completion of 30 years of qualifying service, reckoned from the date of his absorption as Assistant Station Master on 18.03.1981. Therefore, such entitlement could arise only on 18.03.2011. It is further submitted that the benefit has, in fact, been granted to the respondent *vide* Office Order No.21/2018/TP-1 dated 14.03.2018. Hence, the direction of the Tribunal granting the said benefit retrospective effect from 01.09.2008, when the respondent had not completed the requisite qualifying service, is contrary to the



MACP Scheme and is liable to be set aside as perverse and unsustainable.

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4. Per contra, Mr.L.Chandrakumar, learned counsel for the respondent, submitted that the MACP Scheme came into effect from 01.09.2008 and the respondent is entitled to have his case considered in the light of the said scheme. He further submitted that while the respondent would complete 30 years of service on 18.03.2011, the benefit of the third financial upgradation, being traceable to the scheme which came into force on 01.09.2008, cannot be denied, and the Tribunal has rightly granted the relief.

5. Heard the learned counsel on either side and perused the materials available on record.

6. On a perusal of the entire materials on record and also considering the rival submissions, this Court finds that the entitlement to financial upgradation under the MACP Scheme is governed strictly by completion of the prescribed period of regular service, namely 10, 20 and 30 years, in the absence of regular promotions. Though the scheme was brought into force with effect from 01.09.2008, it does not dispense with the foundational requirement of completion of the qualifying service for each stage of upgradation.



7. In the present case, it is not in dispute that the respondent was absorbed as Assistant Station Master on 18.03.1981. Therefore, the third financial upgradation under MACP Scheme could accrue to him only after completion of 30 years of qualifying service, which falls on 18.03.2011. Admittedly, as on 01.09.2008, the respondent had not completed the requisite 30 years of service and, therefore, had not acquired any enforceable right to claim the third upgradation in Grade Pay of Rs.4,800/-. The Tribunal, without advertng to the essential eligibility criteria under the MACP Scheme and in the absence of any cogent reasoning, granted the said benefit with retrospective effect from 01.09.2008. Such a direction is contrary to the governing Scheme and, therefore, the impugned order cannot be sustained in law.

8. In view of the above, this Court holds that the respondent is entitled to the third financial upgradation under the MACP Scheme only with effect from 18.03.2011, on completion of 30 years of qualifying service and not from 01.09.2008. Hence, the impugned order dated 27.09.2024 passed in O.A.No.1168 of 2017 by the Tribunal is set aside, and the same is modified to the limited extent that the respondent shall be entitled to MACP upgradation Level-8 (corresponding to Grade Pay of Rs.4,800/-) only with effect from 18.03.2011.



9. The writ petition stands allowed. There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

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**(P.V.,J.) (K.G.T.,J.)**  
**30.04.2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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



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**P.VELMURUGAN J.  
AND  
K.GOVINDARAJAN THILAKAVADI J.**

**ms**

**W.P.No.41581 of 2025**

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