



W.P(MD)No.14311 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.P(MD)No.14311 of 2021

T.Vasudevan

... Petitioner

Vs.

1.Union of India,
Represented by
The Secretary to Government,
Department of Post and Telegraph,
108-E, Dak Bhavan,
Samsad Marg,
New Delhi – 110 001.

2.The Post Master General,
Central Region,
Tamil Nadu,
Tiruchirapalli.

3.The Superintendent of Police,
Srirangam Division,
Srirangam,
Tiruchirapalli - 620 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying this Court to issue a Writ of Certiorarified Mandamus, to call for



W.P(MD)No.14311 of 2021

the entire records pertaining to the impugned order passed by the Hon'ble Central Administrative Tribunal Madras Bench in O.A.No. 310/1417/2014 dated 01.06.2020 and quash the same and consequently direct the Respondents to grant the petitioner and settle the back wages and other consequential monetary and attendant benefits for the suspension period from 27.12.2006 to 19.05.2008 and the period of termination from 20.05.2008 to 24.11.2008 treating as duty period within a specific period as fixed by this Court.

For Petitioner : Mr.M.Pounraj

For Respondents : Ms.B.Deepa
Central Government Standing Counsel

JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2.The writ petitioner was working as Ex-gramin DAK Sevak Carrier at Thumbalam Branch Office attached to Musiri Sub Post Office. On the ground that he had committed certain acts of misconduct, he was suspended and put-off-duty memo was issued to him on 27.12.2006. Subsequently, charge memo was issued on 05.07.2007. Enquiry was conducted.



W.P(MD)No.14311 of 2021

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3.The charges framed against the petitioner were as follows:

ARTICLE I

That Shri.T.Vasudevan, while working as GDS MC, Thumbalam – BO a/w Musiri – S.O. on 14.11.2006 did not turn up at Mettupatti B.O. to convey the BO bag of Mettupatti B.O from Mettupatti B.O to Musiri S.O., thereby failed to maintain devotion to duty as required of him in Rule-21 of GDS (Conduct and Employment)Rules, 2001.

ARTICLE II

That Shri.T.Vasudevan, while working as GDS MC, Thumbalam BO a/w Musiri SO entered the office of Inspector Posts, Musiri Sub Division, Musiri on 27.12.06 and threw a letter on the table of the Inspector (Posts) and asked the latter to take action against the BPM, Mettupatty-BO. When he was advised to behave properly and send the letter through proper channel, Sri.T.Vasudevan, shouted at pointing his finger at the nose of Shri.P.Murugesan, IP, Musiri Sub Division, uttered unparliamentary words and exhibited utter insubordination against the Inspector (Posts), Musiri Sub-Division. Therefore, it is imputed that Shri.T.Vasudevan, GDSCMC, Thumbalam B.O a/w Musiri S.O. misbehaved with Shri.P.Murugesan, IP, Musiri Sub-Division, Musiri 621 211.

4.Enquiry was conducted. The enquiry officer rendered a finding that the charges framed against the petitioner stood established. After



W.P(MD)No.14311 of 2021

obtaining the petitioner's further representation, the disciplinary authority imposed the punishment of removal from service vide order dated 19.05.2008. Questioning the same, the petitioner moved the appellate authority. The appellate authority took note of the long years of unblemished service put in by the petitioner and on humanitarian grounds, modified the punishment to one of censure. However, the period between removal from service and reinstatement was directed to be treated as non-duty for all purposes. The period of put-off duty was also treated as non-duty for all purposes.

5.Pursuant to the order of the appellate authority, the petitioner was reinstated in service. Aggrieved by the treatment of the put-off duty period, the petitioner moved the revisional authority but the revisional authority declined to interfere. Questioning the orders passed by the appellate authority as well as the revisional authority in not treating the period of put-off duty, the petitioner filed O.A.No.310/1417/2014 before the Central Administrative Tribunal Madras Bench. The Tribunal dismissed the OA vide order dated 01.06.2020. Challenging the same, this writ petition came to be filed.



W.P(MD)No.14311 of 2021

6.The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to set aside the order of the Tribunal and grant relief as prayed for.

7.Per contra, the learned Central Government Standing Counsel submitted that the petitioner had been treated leniently by the authorities and that therefore this Court while exercising the power of judicial review, may not interfere in the matter.

8.We carefully considered the rival contentions and went through the materials on record.

9.The charges framed against the petitioner had already been extracted. The appellate authority had specifically found that, in the appeal memorandum, the petitioner had assailed only the finding of guilt with regard to the first charge and he had not seriously contested the finding of guilt regarding his unparliamentary conduct towards his immediate superior.



W.P(MD)No.14311 of 2021

10.It is relevant to note that the appellate authority also confirmed the findings of the enquiry officer. That is why the Tribunal came to the conclusion that the petitioner had been let off lightly. The humanitarian approach exhibited by the appellate authority can very well be appreciated.

11.The appellate authority took note of the long years of service put in by the petitioner. Be that as it may, the fact remains that the petitioner did not move the Central Administrative Tribunal immediately. O.A before the Tribunal has to be filed within a period of 6 months from the date on which the cause of action arises. The petitioner approached the Tribunal after a lapse of 5 years. That is why the Tribunal held that the O.A filed by the petitioner deserved to be dismissed not only on merits but also on the ground of limitation. It is well settled that an order of Tribunal can be subjected to judicial review under Article 226 of the Constitution of India by the High Court only if it suffers from patent error or perversity. Such is not the case here. We therefore decline to interfere.



W.P(MD)No.14311 of 2021

12.This Writ Petition stands dismissed. No costs.

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[G.R.S., J.] [R.K.M, J.]
18.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

- 1.The Secretary to Government,
Union of India,
Department of Post and Telegraph,
108-E, Dak Bhavan,
Samsad Marg,
New Delhi – 110 001.
- 2.The Post Master General,
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- 3.The Superintendent of Police,
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