

**Central Administrative Tribunal
Madras Bench**

CP/310/00036/2019 in OA/310/00100/2019

Dated the 12th day of March Two Thousand Twenty

P R E S E N T

**Hon'ble Mr. P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)**

R,Manimaran, IRSME,
Dy. Chief Safety Officer/ME,
Southern Railway,
Park Town,
Chennai 600 003. .. Applicant/Applicant
By Advocate **Mr. S.Sivashanmugam**

Vs.

1. Mr.Vinod Kumar Yadav,
Chairman,
Ex-officio Principal Secretary to Government of India
M/o Railways, Railway Board,
New Delhi 110001.
2. Sri Arvind Sexana,
Chairman,
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi 110001.
3. Sri Otem Dai, IAS,
Chairman,
State Level Scrutiny Committee & Secretary,
Adi-Dravidar & Tribal Welfare Department,
Secretariat, Tamilnadu Govt. Fort St.George,
Chennai-9.
4. Mr.Rahul Jain,
General Manager,
Southern Railway,
Park Town,

Chennai 600003.

5. Mr.Rahul Jain,
General Manager,
ICF, Chennai 600038.

6. Mr.Anbazzhagan,
Revenue Divisional Officer,
Trichy Division,
Trichy.

.. respondents/Respondents

By Advocate **Ms.R.Sathyabama for Railways, Mr.P.Deivendra for UPSC**

ORDER

[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

This is a CP filed by the applicant in OA 100/19 against the respondents alleging wilful disobedience of the order passed by this Tribunal in OA 100/2019 dated 01.2.2019.

2. This Tribunal after hearing the applicant has directed the respondents to consider the representations of the applicant and pass a speaking order. The Railways were represented by their Standing Counsel. The counsel for the UPSC was also represented by Mr.Deivendra.

3. Today, when the matter came up for consideration, the respondents 3,4,&5 were represented. According to them, they had passed speaking order on the representations. It is seen from records that the applicant had filed a WP No.4408/15 and the Hon'ble High Court had issued directions to the State Level Scrutiny Committee (SLSC), the 3rd respondent herein, to refer the matter to District Level Vigilance Cell (DLVC) for enquiry and after obtaining their report, the SLSC should take a decision on the genuineness of the Community Certificate of Shri J.Nagesh, the 7th respondent in OA 100/19. Except the 3rd respondent, all others had complied with the directions of the Tribunal in OA 100/19.

4. The counsel for the CA applicant insisted on getting a report from the 3rd respondent i.e. SLSC. In this respect, it has to be noted that prior to the filing of the OA, applicant had filed a WP before the Hon'ble High Court of Madras and the

Hon'ble High Court had issued directions to take a decision as per order on 19.4.17. In this circumstances, we find that there is no need to issue notice to the 3rd Respondent in this case. The genuineness of the Community Certificate is a matter which has to be dealt with by the DLVC and the SLSC. The Tribunal has no authority to issue direction to SLSC as it is not a dispute which has to be decided by the Tribunal.

5. In the circumstance, we find that the respondents had substantially complied with the order in OA 100/15. Hence the CA is treated as closed. Notices of contempt, if any, are discharged.

(T.Jacob)
Member(A)

12.03.2020

(P.Madhavan)
Member(J)

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