

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01548/2016 & MA/310/00067/2018

Dated Thursday the 22nd day of February Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

- 1.Mr. M.Balaji,
S/o late Muthukrishnan
- 2.Miss. M. Revathy.
D/o. Late Muthukrishnan.

Both residing at No. 133,
Thirumagal street, MMDA colony,
G-Block, Arumbakkam,
Chennai 600106.Applicants / Respondents in MA

By Advocate M/s. Lawthirst Associates

Vs

- 1.Union of India rep by its
The General Manager,
Southern Railway,
Park Town,
Chennai 600003.
- 2.The Chief Personnel Officer,
Southern Railway,
Park Town,
Chennai 600003.
- 3.The Senior Divisional Personnel Officer,
Chennai Division,
Southern Railways,
Chennai 600003.
- 4.The Chief Administrative Officer,
Contrutions Southern Railway,
Egmore, Chennai 600008.Respondents
- 5.Dhamayanthi,
W/o. Late Muthukrishnan
- 6.M.Umapathy,
S/o, late Muthukrishnan
- 7.M.Ayappan,
S/o. Late Muthukrishnan

8.M.Selvi.

D/o. Late Muthukrishnan

Respondents 5 to 8 residing at
Old no. 22, New no. 22,
Govindan street, Mettupalayam,
Chennai 600012.

.....Respondents / Applicants in MA

By Advocates M/s. A. Abdul Ajees (R1-R4)
Mr. S. Suresh (R5-R8)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicants have filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

- “i. Direct the respondent 1st to 4th to grant equal share of terminal benefits of the deceased Muthukrishnan to the applicants and the respondents 5th to 8th, who are legal heirs of the said late Muthukrishnan.
- ii. Pass such other orders as are necessary to meet the ends of justice.
- iii. Award cost and render justice.”

2. On perusal, it appears that the matter concerns Civil Court as the issue of succession cannot be decided by this Tribunal. Learned counsel for the applicants submits that the applicants had already filed a Civil Suit for declaration that they are the original successors to the deceased Government employee. Accordingly, the applicants wished to withdraw this OA with liberty to pursue to the matter before Civil Court. Necessary endorsement to this effect has been made in the OA records.

3. In view of the submission, applicants are permitted to withdraw this OA. OA is dismissed as withdrawn. Consequently, MA for vacation of stay stands closed.

(R. Ramanujam)
Member(A)
22.02.2018

SKSI