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WP No. 21473 of 2



Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**Reserved on : 31.08.2026**

**Pronounced on : 17.09.2026**

CORAM

**THE HON'BLE MR.JUSTICE K. SURENDER**

**WP No. 21473 of 2026  
and WMP NO. 23232 OF 2026**

The Chairman and the Chief Executive Officer  
Railway Board, Indian Railways,  
Raisina Road, New Delhi-110001

..Petitioner(s)

Vs

The General Secretary  
All India Retired Station Masters Association,  
Regd., No.CHETU-50-22-00013

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to quash the Order in I.A. of 2025 in I.D. 81/2024 dated 22.12.2025 on the file of the Central Government Industrial Tribunal Cum-Labour Court at Chennai, and direct the Tribunal to delete the name of the Writ Petitioner and Substitute the Same with that of the General Manager, Southern Railways Park Town, Chennai.

For Petitioner(s): Mr.S.Janarthanam  
For Respondent(s): M/s. L.Chandrakumar

### **ORDER**

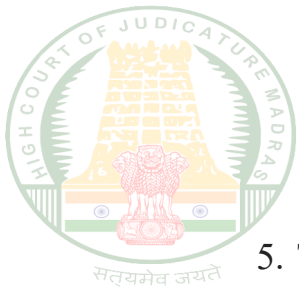
This Writ Petition has been filed challenging the order passed in I.A.No. of 2025 in I.D.No.81 of 2024 dated 22.12.2025 on the file of the Central Government Industrial Tribunal-cum-Labour Court, Chennai, and for consequential directions.



2. The petitioner is aggrieved by the aforesaid order, whereby an application filed by the petitioner seeking deletion of his name from the array of parties in I.D.No.81 of 2024 and for substituting the General Manager, Southern Railway, Park Town, Chennai-600 003, in his place, on the ground of misjoinder of parties, came to be dismissed.

3. The first respondent had raised an Industrial Dispute in I.D.No.81 of 2024 before the Central Government Industrial Tribunal-cum-Labour Court, Chennai, seeking (i) grant of Modified Assured Career Progression (MACP) benefits to retired Station Masters with effect from 01.09.2008; and (ii) extension of the benefit of Night Duty Allowance to all Station Masters performing duty between 22.00 hours and 06.00 hours of the next day, irrespective of the pay ceiling. The said Industrial Dispute had culminated in Reference No.8(21)2024B4 300021497/ADJ/A1 dated 17.09.2024.

4. The petitioner, representing the Railway Administration, filed an Interlocutory Application in I.D.No.81 of 2024 seeking deletion of the name of the Chairman and Chief Executive Officer, Railway Board, from the array of parties and for substituting, in his place, the General Manager, Southern Railway, Park Town, Chennai-600 003, as the proper respondent, and consequently to dismiss I.D.No.81 of 2024 on the ground of misjoinder of parties.



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5. The Central Government Industrial Tribunal, after hearing both sides, identified the issues involved in the Industrial Dispute as (i) grant of MACP benefits to retired Station Masters with effect from 01.09.2008; and (ii) extension of the benefit of Night Duty Allowance to all Station Masters performing duty between 22.00 hours and 06.00 hours of the next day, irrespective of the pay ceiling. The Tribunal was of the view that, since the Chairman and Chief Executive Officer of the Railway Board is in overall charge of the Railway Administration and the orders in question would have application to the entire Railway establishment comprising 16 Zonal Railways, the Chairman and Chief Executive Officer of the Railway Board would be a necessary party. The Tribunal further observed that, if all the 16 General Managers of the Zonal Railways were to be arrayed, it would not be practicable.

6. Learned counsel appearing for the petitioner would submit that, under Section 80(1)(b) of the Code of Civil Procedure, in a proceeding instituted against the Central Government relating to a railway, the General Manager of the concerned railway is the appropriate authority to be arrayed as a party. Similar provision is contained in Section 2(32) of the Railways Act, 1989. Therefore, according to the learned counsel, the Chairman and Chief Executive Officer of the Railway Board, New Delhi, has been wrongly arrayed as a party



and the General Manager, Southern Railway, ought to have been impleaded in his place.

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7. Per contra, learned counsel appearing for the first respondent would submit that once the Industrial Dispute is instituted before the Labour Court and the relief sought is required to be implemented throughout the Railway establishment, which is divided into 16 Zonal Railways, the appropriate party would be the Managing Director/Chief Executive Officer of the Railway Department. It is further contended that Section 80(1)(b) of the Code of Civil Procedure and Section 2(32) of the Railways Act, 1989, have no application to the facts of the present case. It is also submitted that, under Order I Rule 9 of the Code of Civil Procedure, non-joinder of a necessary party may result in dismissal of the proceedings.

8. This Court has considered the rival submissions and perused the materials placed on record.

9. Section 80(1)(b) of the Code of Civil Procedure specifically provides that, in the case of a suit against the Central Government where it relates to a railway, the General Manager of that railway is to be served. Likewise, Section 2(32) of the Railways Act, 1989, defines the expression "General Manager" in relation to a railway administration in the manner contemplated under the said



Act. Therefore, when the dispute concerns the implementation of the relief in respect of a particular Zonal Railway, the General Manager of the concerned Zonal Railway is the appropriate authority to be impleaded in the proceedings.

10. At the same time, the Railway Board had also issued policy instructions in this regard. The Railway Board's letter dated 15.10.1997 bearing No.97/LC/Misc/97 and the subsequent order dated 28.07.2016 bearing No.2014/LC/Misc/12 indicate that, where the Chairman of the Railway Board has been impleaded as a party in proceedings, necessary steps are to be taken for deletion of his name and the General Manager of the concerned Zonal Railway is to be impleaded as a party. The said position has to be looked into while considering the application filed by the petitioner.

11. In the present case, though the Industrial Dispute concerns the grant of MACP benefits and extension of Night Duty Allowance to Station Masters, the effective implementation of any order in respect of the concerned establishment can be undertaken by the General Manager of the Southern Railway. If the General Manager is not made a necessary party in accordance with Section 80(1)(b) of the Code of Civil Procedure and Section 2(32) of the Railways Act, 1989, it may adversely affect the proceedings. However, arraying the Chairman and Chief Executive Officer of the Railway Board as one of the parties would not, in any manner, prejudice the case of the Railway Board.



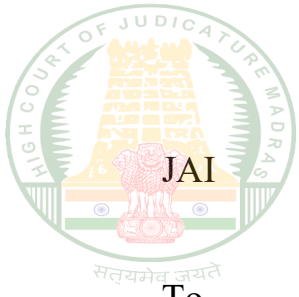
Mere joinder of the Chairman and Chief Executive Officer, is not contrary to any law and would not, by itself, have any adverse impact on the Chairman in the case pending before the Central Government Industrial Tribunal-cum-Labour Court, Chennai.

12. In the facts and circumstances of the case, this Court is of the view that the proper course would be to direct the first respondent to array the General Manager, Southern Railway, Park Town, Chennai-600 003, as a party and implead him in accordance with the provisions of Section 2(32) of the Railways Act, 1989. The order passed by the learned Central Government Industrial Tribunal-cum-Labour Court, Chennai, in I.A.No. of 2025 in I.D.No.81 of 2024 dated 22.12.2025 is interfered with to the aforesaid limited extent.

13. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**K.SURENDER J.**  
**17-09-2026**

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



To

1. The General Secretary  
All India Retired Station Masters Association,  
Regd., No.CHETU-50-22-00013.
2. The Central Government Industrial Tribunal  
Cum-Labour Court at Chennai



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Order QR

**K.SURENDER J.**

**JAI**

**Pre-Delivery Order  
WP No. 21473 of 2026  
AND  
WMP NO. 23232 OF 2026**

**17-09-2026**