

**Central Administrative Tribunal
Madras Bench**

OA 310/00073/2020

Dated Tuesday the 21st day of January Two Thousand Twenty

P R E S E N T

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

K.Jayavasantha Kumar,
S/o.S.Kali,
No.64, New Street,
Urvaiyur, Mangalam Post,
Villianur Commune,
Pondicherry 605 110. ... Applicant

By Advocate M/s Usha Ramman

Vs

1.Union Territory of Puducherry,
The Secretary to Government,
Health Secretariat, Chief Secretariat,
Puducherry 605 001.

2.The Director,
Directorate of Health & Family Welfare Services,
The Government of Puducherry,
Victor Simmonel Street,
Old Maternity Hospital Building,
Puducherry 605 001.

3.R.Karikalan,
Health Assistant,
Directorate of Health & Family Welfare Services,
The Government of Puducherry,
Victor Simmonel Street,
Old Maternity Hospital Building,
Puducherry 605 001.

4.Couppousamy,
S/o.S.Selvarasu,
Health Assistant,
Directorate of Health & Family Welfare Services,
The Government of Puducherry,
Victor Simmonel Street,
Old Maternity Hospital Building,
Puducherry 605 001.

...Respondents

ORAL ORDER

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

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“Declaring the selection list dated 14.10.2016 issued by the 2nd respondent regarding the selection of 3rd and 4th respondents as concern and appointing them as Health Assistants as void, invalid, arbitrary and illegal and quash the same, consequently directing the 2nd respondent to appoint the applicant on the post of Health Assistant in SC Reservation Category based on the marks obtained in the selection list issued by the 2nd respondent dated 14.10.2016 and pass such further order or other orders and thereby render justice.”

2. When the matter came up for consideration, learned counsel for the applicant submits that the 2nd respondent had issued a notification dt. 26.08.2015 for filling up various vacancies including the Health Assistant Posts and notified 20 vacancies. According to the applicant as per the notification 20 posts were allotted for Vertical reservation and 4 posts were allotted in Horizontal reservation. For Schedule Caste three posts were allotted in Vertical Reservation and the applicant comes under the scheduled caste and his appointment should be considered under the vertical reservation. He submits that in vertical reservation one Mr. R. Karikalan who secured 62.01% was selected against SC reservation, whereas the applicant who secured 73.85% was not selected is against the selection procedure. The applicant made representations to the respondents produced as Annexure A3 to A5 which are still pending with the respondents for

consideration. He submits that the applicant will be satisfied if his representations are disposed of by passing a speaking order within a time limit stipulated by this Tribunal.

3. In view of the limited submission made and without going into the substantive merits of the case, the competent authority is directed to consider Annexure A3 to A5 representations of the applicant dated 21.07.2017, 26.09.2019 and 26.09.2019 in accordance with law and pass a reasoned and speaking order within a period of two months from the date of receipt of copy of this order.

4. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

21.01.2020

(P. Madhavan)
Member (J)