

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Tuesday 31st day of October Two Thousand And Seventeen

PRESENT:
THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A./310/01687/2017

1. Yoganathan, (E.No.2239),
S/o. Jaganathan,
Aged about 39 years,
Residing at
26, Pillaiyar Koil Street,
Puducherry 605 501;
2. R. Murali, (E.No.2203),
S/o. Ramadoss,
Aged about 28 years,
Residing at
No.20, Vadamangalam Salai,
Mangalam Post,
Puducherry 605 110
3. G. Mahadevan, (E.No.2179),
S/o. Gangadurai,
Aged about 37 years,
Residing at 42, Mariamman Koil Street,
Chettipet,
Puducherry 605 501
4. E. Periyasamy, (E.No. 2176),
S/o. P. Ezhumalai,
Aged about 34 years,
Residing at
No.32, Ambedkar Street,
Thondamanatham & Post
Puducherry 605 502

5. R. Kabelan, (E.No.2230),
S/o. Ramanujam,
Aged about 32 years,
Residing at
25, Mariamman Koil Street,
Karikalampakkam,
Puducherry 605 007

(All the applicants are employed as
Home Guards, Pondicherry Organisation,
Puducherry)

....Applicants

(By Advocate : M/s. M. Gnanasekar)

VS.

1. Union of India Rep. by
Commandant General of Home Guards/
Director General of Police, Puducherry;
2. The Senior Superintendent of Police,
(Crime and Intelligence), Puducherry;
3. The Superintendent of Police,
(Headquarters)
Police Department,
Puducherry.

...Respondents

(By Advocate: Mr. Syed Mustafa)

ORAL ORDER

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

This O.A. has been filed by the applicants seeking the following relief:-

"Direct the respondents to include the name of the applicants in the list of Home Guards eligible for absorption against 25% absorption category and consequently direct the respondents to absorb them on the basis of their seniority with permission to complete +2 course within four years period and with all consequential and monetary and service benefits."

2. Heard. It is submitted that the Tribunal by Annexure-A11, Order dated 24.10.2017 in O.A. 1635/2017, had permitted the applicants therein to submit representations to the competent authority citing the precedents in regard to relaxation of educational qualification for the purpose of absorption of Home Guard as Police Constable. On receipt of such representation, the respondents were to consider their case sympathetically in the light of the precedents and pass a reasoned and speaking order within a period of four weeks thereafter. Learned counsel for the applicants would submit that the respondents, in the meantime, have published Annexure-A/14 seniority list of Home Guards selected for absorption to the post of Police Constables and the list does not include the names of the applicants. It is accordingly prayed that interim relief may be granted to keep five posts of Police Constables vacant till the



direction contained in the aforesaid order of the Tribunal is complied with.

3. On perusal, it is seen that the applicants had submitted representations dated 25.10.2017, Annexure-A/12 pursuant to the order of the Tribunal dated 24.10.2017 in OA.1635/2017. If all the vacancies are filled up, the applicants' would not be able to benefit from any relaxation based on precedents. I am, therefore, of the view that the applicants are entitled to have their representation considered before the vacancies are filled up. Accordingly, the respondents are directed to keep five posts of Police Constable vacant in the absorption category till their representations are disposed of by the competent authority.

4. The O.A. is disposed of in the aforesaid direction. No costs.