

CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH, CHENNAI

MA.310/635/2019
&
MA.310/636/2019
in &
O.A. No.310/01389/2019

Dated 21st, Monday of October, 2019

PRESENT

Hon'ble Mr. P. Madhavan, Member(Judicial)
Hon'ble Mr. T. Jacob, Member(Administrative)

1. S. Sekar, S/o. Subramanian;
2. S. Mohanraj, S/o. B. Subramanian;
3. K.S. Shanthi, W/o. S. Muthukumar;
4. M. Sulochana, W/o. P. Began;
5. R.V. Shanthi, W/o. K. Muthupandi;
6. S. Vasantha, W/o. G. Selvaraj;
7. P. Chitra, W/o. V. Purushothaman;
8. P. Rajalakshmi, W/o. A. Nithivanam;
9. M. Arulselvi, W/o. P. Chandrasekaran;
10. K. Kalaiselvi, W/o. R. Santharam Subbu;
11. S. Sampoorani, W/o. Srinivasan;
12. V. Rajalakshmi, W/o. M. Venkata Subramania Bharathi;
13. S. Selvaraj, S/o. Shanmugaiah;
14. D. Kamala Mary Pushpa, W/o. A.S. James;
15. K. Gopal, S/o. V.R. Kalimuthu;
16. M. Shanthi, W/o. S. Kalidasan.

... Applicants/Applicants

By Advocate M/s R. Malaichamy

Vs

1. Union of India
Rep. by the Secretary
Ministry of Communications
Department of Posts
Dak Bhavan, Sansad Marg
New Delhi – 110 001.

2. The Chief Postmaster General
Tamil Nadu Circle
Anna Salai
Chennai 600 002.

3. The Postmaster General
Southern Region (TN)
Madurai 625 002.

4. The Senior Superintendent of Post Offices
Madurai Division
Madurai – 625 002.

5. The Senior Postmaster
Madurai Head Post Office
Madurai – 625 001.

.... Respondents /Respondents

By Advocate : Mr. Su. Srinivasan

ORAL ORDER

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

Heard.

2. MA635/2019 has been filed seeking permission to join together the applicants is allowed.

3. MA636/2019 has been filed seeking to waive the period of six months in filing the OA is allowed.

4. OA has been filed by the applicants seeking the following relief:-

"i. To direct the respondents to treat the RTP service of the applicants for the purpose to advance the TBOP, BCR, MACP etc., in accordance with the Directorate instructions contained in letter dated 21.02.2018 and direct the respondents to extend the benefits of judgments made in OA No. 79 of 2011 and batch cases of the Ernakulam Bench of this Tribunal dated 01.10.2013 and the judgments of this Tribunal made in OA 310/01149/2014, OA 310/01240/2014 dated 27.06.2019 and OA 310/00032/2016 dated 30.08.2019, consequent to

ii. direct the respondents to revise and re-fix the pay of the applicants and also to pay arrears of salary and other monetary benefits to them, and

iii. To pass such further or other orders"."

5. When the matter came up for hearing at admission, Ld. Counsel for the applicants submit that the applicants are similarly placed persons as of the applicants in the judgments relied upon and, therefore, applicants may be extended the benefit of the judgment.

6. Mr. Su. Srinivasan, Learned Standing counsel who took notice for the respondents opposes the same and submits that on seeing the relief granted to similarly placed persons, the applicants cannot claim to extend the similar

benefit to them after undue delay and, further, they are not party before any of the judgments relied upon and, therefore, it cannot be considered at this point of time.

7. Learned counsel for the applicants submits that matter has been finally settled only in 2019 and those who are similarly placed are entitled to get the benefit and the respondents are implementing the scheme even though the law has become finally settled to those who approach the Courts. This only constrain all the applicants to approach the Tribunal by filing the instant OA seeking the aforesaid relief.

8. Learned counsel for the applicants submits that his clients would be satisfied if the individual representations of the applicants Annexure-A/2, dated 19.09.2019 and Annexure A/3 dated 12.09.2019 are considered in the light of the decision of the Tribunal in O.A. 310/00032/2016 dated 30.08.2019 and in terms of decision of the CAT, Ernakulam Bench order in OA 79/11 & batch cases and the order passed by the Hon'ble Kerala High Court in OP(CAT)89/14 in K.S. Beena Vs. UOI & Ors. and pass a reasoned and speaking order within a stipulated period.

9. In view of the limited submission made, we are of the view that OA could be disposed of at admission stage by directing the respondents to consider and dispose of the pending individual representations of the applicants Annexure-A/2, dated 19.09.2019 and Annexure A/3 dated 12.09.2019 in the light of the decision of the Tribunal in O.A. 310/00032/2016 dated 30.08.2019 and in terms of decision of the CAT, Ernakulam Bench order in OA 79/11 & batch cases and the order passed by the Hon'ble Kerala High Court in OP(CAT)89/14 in K.S. Beena Vs. UOI & Ors. and pass a reasoned and speaking order within a

period of three months from the date of receipt of copy of the order..

10. OA is disposed of accordingly with the above observation. No costs.

(T. Jacob)
Member(A)

(P. Madhavan)
Member(J)

asvs