

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

OA No.310/00193/2020

Dated Monday the 10th day of February, 2020

P R E S E N T

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

K. Senguttuvan
GC Orderly
Officers' Training Academy
St. Thomas Mount
Chennai – 600 016.

...Applicant

By Advocate M/s R Prabhakaran

Vs

1. The Commandant
Officers' Training Academy
St. Thomas Mount
Chennai – 600 016.

2. Union of India
Rep. by the Secretary
Ministry of Defence
South Block, New Delhi – 110 001.

... Respondents

By Advocate Mr. S. Nagarajan

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

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

“To direct the respondents to regularise the service of applicant from the date of his initial adhoc appointment on 05.07.1988 with seniority, arrears of salary and consequential retirement benefits to the applicant, and pass such further or other orders.”

2. The applicant was initially appointed on adhoc basis on 05.07.1988 as GC Orderly on par with regular employees, except the permanent status and was subsequently appointed and absorbed in regular vacancy vide appointment order dated 25.08.1998 and kept on probation for a further period of two years. After that he was not regularized from his earlier adhoc appointment date of 05.07.1988 and hence this OA.

3. When the matter came up for admission, from perusal of records it is seen that the applicant has not given any representation to the competent authority regarding his grievance and so far he has not exhausted the departmental remedy. Learned counsel for the applicant would submit that applicant will be satisfied if he is permitted to make a detailed representation before the competent authority and the competent authority is directed to consider the same in the light of the judgment of the Hon'ble High court in the case of **Union of India & another Vs. K.Puniyakoti and 16 others** and pass orders, within a stipulated time limit.

4. Mr.S.Nagarajan, takes notice on behalf of the respondents and submits that the respondents have no objections to consider and dispose of the representation of the applicant on merits.

5. In view of the limited relief sought and without going into the merits of the case, the OA is disposed of in the following lines:

“The applicant is directed to make a detailed representation to the competent authority regarding his grievance relying upon

all the relevant judgments within a period of two weeks from today and the competent authority is directed to consider the said representation of the applicant on the basis of the relevant rules and regulations and the relevant judgments relied upon and pass a reasoned and speaking order, within a period of three months from the date of receipt of such representation."

**(T.JACOB)
MEMBER (A)**

10.02.2020

**(P.MADHAVAN)
MEMBER (J)**

M.T.