

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00081/2018

Dated Wednesday the 24th day of January Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

K.Kumarasamy,
S/o. Kandasamy,
No. 1/12, Vadakku Street,
Japthikaranai Village & Post,
Thellar,
Vandavasi Taluk,
Tiruvannamalai District,
Pin 604406.

....Applicant

By Advocate M/s. R. Malaichamy

Vs

1.Union of India,
rep by its Secretary,
Ministry of Communications & IT,
Department of Posts,
Dak Bhavan,
Sansad Marg,
New Delhi 110001.

2.The Chief Postmaster General,
Tamil Nadu Circle,
Anna Salai,
Chennai 600002.

3.The Postmaster General,
Chennai City Region,
Chennai 600002.

4.Superintendent of Post Offices,
Tiruvannamalai Division,
Tiruvannamalai 606601.

....Respondents

By Advocate Mr. K. Rajendran

ORAL ORDER

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

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

“1. To direct the respondents to grant pension to the applicant under old pension scheme by counting the service rendered in the GDS cadre by the applicant by extending the benefit of judgments made in OA 749 of 2015 and batch cases (Principal Bench) and OA No. 1676 of 2014 and batch cases (This Hon'ble Tribunal), consequent to,

2. direct the respondents to pay the arrears of retirement service benefits including arrears of pension to the applicant, and;

3. To pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

2. Learned counsel for the applicant submits that the applicant had earlier sought pension under the CCS (Pension) Rules, 1972 on the basis that he had completed 10 years of qualifying service, if his services on officiating / temporary basis for 1 ½ years before his appointment as regular Postman was included therein. The OA was dismissed. A Review Application filed thereon was also dismissed.

3. It is further submitted that the applicant subsequently filed Annexure A-9 representation dt. 23.08.2017 to count his entire GDS service and officiating service for regular pension under the Old Pension Scheme citing the order of the Principal Bench in OA 749/2015 and batch cases dated 17.11.2016 as also the order of the Hon'ble Madras High Court in WP 547/2015 dated 19.01.2015. The applicant would be satisfied if the respondents are directed to consider the representation in accordance with law and pass a speaking order within a time limit stipulated by the Tribunal.

4. Mr. K. Rajendran takes notice for the respondents and submits that if time is granted, a detailed reply would be filed.

5. Be that as it may, keeping in view the limited prayer and the submission that the order of the Principal Bench and the order of the Hon'ble High Court referred above had not been brought to the notice of the competent authority earlier, the respondents are directed to consider Annexure A-9 representation dated 23.08.2017 in accordance with law and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.

6. OA is disposed of with the above direction at the admission stage.
