

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.250/2020

Dated Wednesday, the 4th day of March, 2020

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

D. Stephen Jeyaraj

No. 9/37, East Street

N. Poolampatti

Manapparai Taluk

Trichy District Pin 621 302.

... Applicant

By Advocate M/s R. Malaichamy

Vs

1. Union of India

Rep. by the Chief Postmaster General

Tamil Nadu Circle

Anna Salai Chennai – 600 002.

2.The Postmaster General

Central Region (TN)

Tiruchirappalli – 620 001.

3.The Assistant Director (Staff)

O/o. The Postmaster General

Central Region (TN)

Tiruchirappalli – 620 001.

4. The Superintendent of Post Offices

Karur Division

Karur – 639 001.

... Respondents

By Advocate Mr. Su. Srinivasan

(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:

“1. To direct the respondents to appoint the applicant as Postal Assistant in any one of the three Divisions for which he has given option or in any other Division as in the capacity of surplus qualified candidate as per the instructions issued by the Directorate dated 26.07.2019 with all attendant benefits at par with Ms. Sakthidevi; and

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

2. The applicant applied under the notification dated 05.08.2019 for recruitment to the cadre of Postal Assistants/Sorting Assistants for the unfilled departmental quota vacancies of the year 2015-16, 2016-17, 2017-18, 2018 (01.04.2018 to 31.12.2018) & 2019 (01.01.2019 to 31.12.2019) and appeared for the examination and also qualified in the said examination by getting 135.84 marks out of 175. The grievance of the applicant is though one Ms.Sakthidevi who has scored 134.06 marks is appointed as Postal Assistant in his parent division, the applicant who has scored higher marks than her has not been given appointment even in any other division as per Directorate letter dated 26.07.2019 and hence he has filed this OA.

3. When the matter came up for hearing, learned counsel for the applicant would submit that the applicant has qualified in the examination

and since there is no vacancy in his parent division, his case may be considered for appointment in any other division where there is vacancy.

4. Mr.Su.Srinivasan, counsel for the respondents submits that the applicant can file a representation in that regard on the basis of the instructions contained in circular dated 26.07.2019 and the department will consider the same and pass order.

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 file a fresh representation on the basis of the Directorate letter dated 26.07.2019 before the competent authority forthwith and the competent authority is directed to consider the said representation on the basis of the Directorate letter dated 26.07.2019 and as per relevant rules and regulations and pass a speaking order, within a period of one month from the date of receipt such representation."

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

04.03.2020

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

M.T.