

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.503/2010

Thursday this 15th day of July, 2010

CORAM:

HON'BLE MR.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER
HON'BLE MRS.K.NOORJEHAN, ADMINISTRATIVE MEMBER

1. K.Ramachandran, S/o C.Kannan, aged 49, Block No.97, Kallar P.O Idukki employed as Deputy Collector Programme Officer, ILDM, P.T.P.Nagar, Trivandrum.
2. C.A.Latha, W/o P.Raveendran Nair, aged 51 years T.C.28/545, Avani House, Sabari Nagar, Kaithamukku, Trivandrum-14 working as Deputy Collector, Asst.Commissioner, Disaster Management, Land Revenue Commissionrate, Trivandrum.
3. P.Marykutty, 52 years, W/o. Issac Joseph, Kochuparambil, Government Quarters, C9, Civil Lane, Ayamthole, Thrissur working as Deputy Collector, Land Acquisition, Collectorate, Thrissur. . Applicants

By Advocate: Mr. S. Sreekumar

vs.

1. Union of India, represented by its Secretary, Department of Personnel and Training, Ministry of Personnel Public Grievances and Pension, New Delhi.
2. The Union Public Service Commission rep. by its Secretary, Shajahan Road, New Delhi.



3. The Selection Committee for selection to Indian Administrative Service constituted under Regulation 3 of the Indian Administrative Services (Appointment by Promotion) Regulations, 1955 represented by its Chairman, Union Public Service Commission, New Delhi.
4. The State of Kerala represented by Chief Secretary, Government Secretariat, Trivandrum.
5. The Chief Secretary, State of Kerala, Govt. Secretariat, Trivandrum. .. Respondents

By Advocate : Mr. Millu Dandapani (R1)

Mr. Thomas Mathew Nellimoottil (R2-3)

Mr. N.K. Thankachan, GP (R4 & 5)

The Application having been heard on 13.07.2010, the Tribunal on 15.07.10 delivered the following:-

ORDER

HON'BLE MR. JUSTICE K. THANKAPPAN, JUDICIAL MEMBER:

The applicants, 3 in number, have filed this Original Application for a direction to the respondents 1 to 3 to convene the selection committee meeting for preparing the select list of suitable candidates for promotion to the Indian Administrative Service, as the applicants are qualified for such consideration.



2. The Original Application has come up for admission and this Tribunal found that there is delay in convening the selection committee meeting for appointment by promotion to I.A.S. of Kerala cadre. As it would affect the future prospects of the applicants, this Tribunal directed the respondents to file reply, if any. For this purpose this Tribunal allowed time for all the respondents. But we finally found that no reply statement is seen to have been filed on behalf of the respondents. It is also noted that this Original Application itself can be disposed of on considering the merits of the averments contained in the Original Application, even without filing of any reply statement. Hence we have heard the O.A. The counsel appearing for the applicants submits that as the applicants are qualified for promotion to the post of I.A.S. from the State Civil Services for the year 2008 as per Regulation 5(1) of the Promotion Regulations, 1955, the applicants have filed this O.A. for expediting the selection committee meeting to be held by respondents 1 to 3. We have also noted that the 4th respondent, the State of Kerala, has already proposed the select list for consideration of the Union Public Service Commission as well the Govt. of India, namely respondent No.1 the Govt. of India and the



Selection Committee for selection to Indian Administrative Service constituted under Regulation 3 of the IAS(Appointment by Promotion)Regulations, 1955 represented by its Chairman, UPSC and the Union Public Service Commission represented by its Secretary. The counsel appearing for the respondents 2 to 3 Mr. Thomas Mathew Nellimoottil had admitted before us that respondents 2 to 3 are in receipt of the proposal list sent by the 4th respondent with all required documents for selection to the above posts. We have also noted that all the three applicants were already considered for selection to the IAS cadre during 2007, but as they were not selected on the basis of number of the posts or the vacancy position allotted to the Kerala for the year 2007. Hence they are now apprehending that in spite of the proposal list sent by the 4th respondent, the State of Kerala, if no direction is given by this Tribunal to respondents 1 to 3, their selection will be belated and it would affect their service career. Considering all these aspects and the facts now revealed, we are of the view that this O.A. itself can be disposed of by directing respondents 1 to 3 to expedite the selection committee meeting. Hence the O.A. is allowed by directing the respondents 1 to 3 to take immediate steps to convene the

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selection committee meeting at the earliest, at any rate within 45 days from the date of receipt of a copy of this order. No order as to costs.

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(K.NOORJEHAN)
MEMBER (A)

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(JUSTICE K.THANKAPPAN)
MEMBER(J)

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