

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.199/93

Thursday, this the 11th day of November, 1993.

SHRI N DHARMADAN, JUDICIAL MEMBER
AND
SHRI S KASIPANDIAN, ADMINISTRATIVE MEMBER

KJ Thomas,
Kottarathil House, Valeri PO,
Mananthavady, Wayanadu District. - Applicant

By Advocate M/s Lalgi P Thomas and VD Satheesan

Vs.

1. Sub Divisional Inspector (Postal 0,
Mananthavady Sub Division).
2. Superintendent of Post Offices,
Thalacherry Division, Thalacherry.
3. The Chief Post Master General,
Kerala Circle,
Thiruvananthapuram.
4. Union of India represented by
the Secretary to the Government,
Ministry of Communications,
Central Secretariat, New Delhi.
5. KP Ramachandran,
s/o Kunjikannan Nambiar (Vig)
Puducherry PO,
Mananthavady, Wayanadu District. - Respondents

Respondents 1 to 4 by Advocate Mr George CP Thrakan, SCGSC

Respondent-5 by Advocate Shri M Rajendrakumar

O R D E R

N DHARMADAN, JUDICIAL MEMBER

A failed candidate ^{for} ~~for~~ the regular selection to the post of EDMC, Valeri Post Office has filed this application under Section 19 of the Administrative Tribunals Act for quashing the appointment of the 5th respondent as EDMC, Valeri Post Office.

2. According to the applicant, he has passed SSLC and ~~is~~ an experienced candidate having superior merit than that of the selected candidate, the 5th respondent. He further submitted that the appointment of the 5th ~~respondent~~ is illegal and it is liable to be set aside.

3. Respondents 1 to 4 and the 5th respondent have filed separate reply statements denying the averments and allegations in the OA. No rejoinder has been filed by the applicant.

4. The first respondent is the competent authority to make a selection. He has considered in the interview the comparative merit of the applicant and the 5th respondent along with other candidates sponsored by the Employment Exchange. It is said that all the aspects were considered in the selection and the 5th respondent was found to be the most suitable candidate for selection on a comparative evaluation of the merits of respective candidates. Since the 5th respondent is residing very near to the Valeri Post Office where the mail originates, it would be more convenient for the working of the Post Office to appoint the 5th respondent. In other words, the selection has made after considering the merits of the candidates as also the convenience of work of the Post Office. Applying the above yard stick, the 5th respondent was found to be more suitable and the selection was made on that basis.

5. Since the first respondent has made selection in the proper manner after considering the merits of candidates, we are of the view that the selection of the 5th respondent is unassailable and the contentions of the applicant cannot be accepted. In this view of the matter, there is no substance in the application, which is only to be dismissed. We do so. No costs.

S. Kasipandian

(S KASIPANDIAN)
ADMINISTRATIVE MEMBER

N. Dharmadan
11.11.93

(N DHARMADAN)
JUDICIAL MEMBER

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