

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.199/2001

Tuesday this the 20th day of February, 2001

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR.T.N.T. NAYAR, ADMINISTRATIVE MEMBER

P.Raju, Ajitha Vilasam,
Near F.C.I, Kazhakoottam Post,
Trivandrum.

...Applicant

(By Advocate Mr. K.C.Eldho & Jayapal Menon)

v.

1. The Chief Post Master General,
Kerala Circle,Trivandrum.
2. The Employment Officer,
Rural Employment Exchange,
Ulloor.
3. Asst.Superintendent of Post Offices,
Trivandrum North,
Thiruvananthapuram.33.
4. Union of India, represented by
the Secretary to the Government,
Department of Post & Telegraphs,
Central Secretariat,
New Delhi. ...Respondents

(By Advocate Mr.R.Prasanthkumar, ACGSC)

The application having been heard on 20.2.2001 the
Tribunal on the same day delivered the following:

ORDER

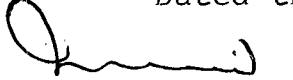
HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who is an aspirant to the post of Extra Departmental Mail Carrier, Azhoor Market has filed this application seeking to set aside Annexure.A2 notification by which the respondents have invited applications from eligible candidates for the aforesaid post. It is alleged in the application that as per Rules recruitment to E.D.Posts has to be made through notification to Employment Exchange only and no public advertisement is to be made.

contd....

2. We have heard the learned counsel for the applicant. The Apex Court has in Excise Supdt. Malkapatnam, Krishna Dist. A.P. Vs. KBN Visweswara Rao and others reported in 1996 (6) SCC 216 held that it will be in furtherance of the provisions of Articles 14 and 16 of the Constitution of India if public advertisement is made in addition to notification to the Employment Exchange and that a person who applies on his own not sponsored by the Employment Exchange if considered and selected the selection cannot be held invalid. Here Annexure.A2 notification is issued only in accordance with the principles laid down by the Apex Court in the abovesaid ruling. This does not cause any prejudice to the applicant. If the applicant wants to offer his candidature, he is free do to do. We find nothing in this application which calls for admission of this application. Hence, the application is rejected under Section 19(3) of the Administrative Tribunals Act.

Dated the 20th day of February, 2001


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

s.

List of annexure referred to:

AnnexureA2: True copy of the notice No.EDMC/Azhoor Market dated 2.1.2001 issued by the Asst. Superintendent of Post Offices, Trivandrum North Sub Division, Trivandrum.

.....