

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.398/2000

Wednesday this the 24th day of May, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

V.Vishnu Moorthy Potty, Staff No.2310
S/o Venitaraman, aged 42 years
Junior Admnistrative Officer (Estt)
Officiating, Office of the General Manager,
Telecommunications Department,
Kollam, residing at Sree Padma,
Vallikavu, Kollam.

...Applicant

(By Advocate Mr. K.P. Dandapani)

Vs.

1. The Chairman,
Telecom Commission, New Delhi.1.
2. The Director (Departmental Examinations
and Valuations of Papers)
Department of Telecommunications,
Dak Bhavan, Sansad Marg,
New Delhi.110001.
3. The Chief General Manager (Telecom)
Kerala Circle, Trivandrum.33.
4. Union of India, represented by
Secretary, Ministry of Communications,
New Delhi.110 001. ...Respondents

(By Advocate Mr. Govindh K Bharathan (rep. by Heera)

The application having been heard on 24.5.2000, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant, JAO (officiating) in the Office of
the General Manager, Telecom, Kollam appeared in Part.II
Departemntal Examination for JAOs in the month of February,
1999. Alleging certain irregularities in the examination,
the applicant and others made representations. A4 is a
copy of the representation made by the applicant before 1st
respondent. It is alleged that pursuant to the
representations from the officials it was decided to cancel
the examiantion and hold a reexamination. A copy of such
letter is Annexure.A5.

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2. Pursuant to A5 letter hall permits were issued to the applicant and others but ultimately as per Annexure.A8 the decision to hold the reexamination was cancelled. Aggrieved by that the applicant made a representation (A.11) to the first respondent on 20.3.2000 which is yet to be considered and disposed of. Therefore, the applicant has filed this application for the following reliefs:

"(1) direct the Ist respondent to dispose of Annexure.A11 representation dated 20.3.2000, giving similar treatment to the applicant for granting grace marks as per letter mentioned in Annexure.A9,

(ii) direct the 2nd respondent to issue grace marks to the applicant and declare that he is successful for the departmental examination of Junior Administrative Officer Part.II held in February, 1999 in Paper II pending disposal of the Original Application.

(iii) direct the 2nd respondent to conduct re-examination for Paper II part II.

(iv) such other orders or directions as this Honourable Tribunal may deem fit and proper in the circumstances of the case."

3. When the application came up for admission today, learned counsel on either side agree that the application may be disposed of with a direction to the Ist respondent to consider the A.11 representation made by the applicant and to give the applicant an appropriate reply within a reasonable period.

4. In the result, in the light of the submission of the learned counsel appearing on either side the application is disposed of directing the Ist respondent to consider the All representation and to give the applicant an appropriate reply within a period of three months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 24th day of May, 2000



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

S.

List of annexures referred to:

Annexure.A4: True copy of representation submitted by the applicant before the Ist respondent on 15.3.99.

Annexure.A5: True copy of communication No.10-7/99-DE dated 29.10.99 by the 2nd respondent to All Chief Managers, Department of Telecommunications.

Annexure.All: True copy of representation submitted by the applicant before Ist respondent on 20.3.2000.

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