

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00199/2018 & OA/310/00480/2018

Dated Thursday the 12th day of April Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

1.S.Ramanathane,
2.P.Nagavelou,
3.R.Rajasekaran,
4.A.Sinuvasan.Applicants

By Advocate M/s. V. Ajayakumar

Vs

1.Union of India rep by the
Govt. of Puducherry through the
Secretary to Govt. for Public Works,
Chief Secretariat, Puducherry.
2.The Chief Engineer,
Public Works Department,
Puducherry.Respondents

By Advocate Mr. R. Syed Mustafa

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. MA filed by the applicants for joining together is allowed.

2. The applicants have filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for the records of the second respondent with No. 1299/PW/CE/EC3/2017/4470 dated 28.11.2017 and to quash the same and consequently to direct the respondents to amend column no. 8 of the recruitment rules for the post of Work Inspector (2015) by providing preference to ITI holders in the case of promotion to the post of Work Inspector considering the technical and supervisory nature of the post of Work Inspector and to pass such other or further orders in the interest of justice and thus render justice.”

3. Learned counsel for the applicants draws attention to impugned order dt. 28.11.2017 whereby the 1st applicant's representation for promotion of 25 MTS staff with ITI qualification by giving one time preference as per the recommendations made by the DPAR / CCD and the Joint Secretary (Public Works) by ID Note dated 10.06.2014 had been disposed of. It is submitted that the 1st applicant's request for appointment had not been accepted. Therefore, the applicants are before this Tribunal.

4. Mr. R. Syed Mustafa takes notice for the respondents.

5. On perusal of the impugned order dt. 28.11.2017, it is seen that the second respondent has passed an order of an interim nature which suggests that recruitment rules for MTS / Public Works had been framed and notified prescribing the minimum qualification of a pass in SSLC or ITI with a view to considering the incumbents possessing either of the minimum qualification for promotion to the post of Work Inspector /

Mechanic. However, the representation of the 1st applicant seeking preference to ITI (NCVT) qualified MTS (PW) incumbents had been forwarded to the Deputy Secretary to Government (Works), Chief Secretariat, Puducherry by ID Note No. 2363/PW/CE/EC3/2016/811 dated 20.02.2017 seeking views / orders and reply thereof is awaited as on date. On receipt of the same, the request of the applicant may be entertained accordingly.

6. As the matter has not attained finality, it is premature for this Tribunal to interfere. However, considering that the competent authority was directed to consider the 1st applicant's representation dt. 12.12.2016 as per law and pass a reasoned order within a period of three months from the date of receipt of a copy of the order dt. 01.08.2017 of this Tribunal in OA 1231/2017 and the same has not been fully complied with as also the fact that the applicant has not filed any Contempt or Execution Petition, I am of the view that the ends of justice would be met in this case if the respondents are directed to pass final orders in pursuance of the impugned order dt. 28.11.2017 within a period of three weeks from the date of receipt of a copy of this order.

7. OA is disposed of as above at the admission stage.

(R. Ramanujam)
Member(A)
12.04.2018

SKSI