

**Central Administrative Tribunal  
Madras Bench**

**OA 310/00882/2018**

**Dated Tuesday the 10<sup>th</sup> day of July Two Thousand Eighteen**

**P R E S E N T**

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

R. Veerasekar  
No. 138, Indira Nagar  
Palani, Dindigul District  
Pin – 624 601.

.. Applicant

By Advocate **M/s. R. Malaichamy**

**Vs.**

1. Union of India  
Rep. by the Chief Postmaster General  
Tamil Nadu Circle  
Chennai – 600 002.
2. The Postmaster General  
Southern Region (TN)  
Madurai – 625 002.
3. Director of Postal Services  
O/o. The Postmaster General  
Southern Region (TN)  
Madurai – 625 002.
4. The Senior Superintendent of Post Offices  
Dindigul Division  
Dindigul – 624 001.
5. The Assistant Superintendent of Post Offices  
Palani Sub-Division  
Palani – 624 601.
6. The Assistant Director (Staff)  
O/o. The Postmaster General

Southern Region (TN)  
Madurai 625 002.

.. Respondents

By Advocate **Mr. K. Rajendran**

## ORAL ORDER

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

Heard. The applicant has filed this OA seeking the following reliefs:-

“i. To call for the records of the 5<sup>th</sup> respondent pertaining to his order which is made in Memo No. GDS MC/Pushpathur BO/Dlgs dated 29.03.2014 and the order of 6<sup>th</sup> respondent made in No. STC/87-12/13/MA dated 16.08.2017 and set aside the same, consequent to;

ii. direct the respondents to reinstate the applicant into engagement as GDS MC; Pushpathur BO; and

iii. To pass such further or other orders”

2. It is submitted that the applicant had previously filed OA 1303/2014 which was dismissed by this Tribunal on 17.10.2014 on the basis of the submission made by the respondents that the applicant had been appointed after the validity of the select list had ceased and such an appointment was erroneous. Accordingly, it was held that the respondents had correctly proceeded to terminate the services of the applicant. It is submitted that the order was passed based on instructions alleged to have been received by the counsel for the respondent (Annexure A9) which did not amount to a proper reply to the OA. The instructions were misleading in stating that the applicant had been appointed after the expiry of the select list whereas in Annexure A6 communication by Senior Superintendent of Post Offices to the Postmaster of Southern Region dated 08.08.2014 it was indicated that the relevant “covers” containing application for the post of GDS MC, Pushpathur were opened on 29.02.2012. The applicant submitted his representation on 20.02.2013 and as such the representation had been received within the period of validity of the list.

It is accordingly contended that the applicant having been appointed correctly ought not to have been terminated.

3. It is further submitted that the applicant made Annexure A14 to A16 representations to the first respondent in this regard and he would be satisfied if respondents are directed to consider it and pass appropriate orders.

4. Mr. K. Rajendran takes notice for the respondents.

5. On perusal, it is seen that the OA filed by the applicant earlier had been dismissed and his termination had been held valid. No RA was filed in this regard. Nor was any WP filed in the Hon'ble High Court. However, the applicant chose to point out what he perceived as a factual inaccuracy in the submission made by the respondents at the relevant time and sought appropriate relief. Since it is submitted that the applicant would be satisfied if the respondents are directed to consider the same, OA is disposed of with a direction to the respondents to consider his representation in the light of the facts available on records and pass appropriate orders within a period of three months from the date of receipt of copy of this order.

6. OA is disposed of as above.

(R.Ramanujam)  
Member(A)  
10.07.2018

AS