

**Central Administrative Tribunal
Madras Bench**

MA/310/00481/2018 (in)(&) OA/310/01160/2018

Dated Thursday the 30th day of August Two Thousand Eighteen

P R E S E N T
Hon'ble Mr. R.Ramanujam, Member(A)
&
Hon'ble Mr.P.Madhavan, Member(J)

1. Puducherry Unified Ministerial Clerks Association
rep by its President,
Mr.S.Karthigeyan,
2. Sumithrs.V.
3. Mr.K.Manoharan.
4. Mr.N.Batmaradjy. .. Applicants

By Advocate **M/s.J.Srinivasa Mohan**

Vs.

1. Union of India, rep by
Government of Puducherry,
Through its Chief Secretary,
Chief Secretariat, Puducherry.
2. Government of Puducherry by its Secretary,
Department of Personnel & Administrative Reforms,
(Personnel Wing),
Puducherry. .. Respondents

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

Heard. MA for joining the applicants together and filing a single application is allowed.

2. The applicants have filed this OA seeking the following reliefs:-

“i. Call for the records of the 2nd respondent in file No.A-11019/10/2016-DPAR/SS.II(2) dated 27.2.2018, in so far it relates to the date of appointment of UDC, and set aside the same

ii. Consequently direct the 2nd respondent to reckon the qualifying years of LDC service as 5 years instead of 8 years, as applied to 2002 and 2005 batch of LDCs and refix the date of appointment of applicants as UDC from 2008, when they became eligible and clear vacancies were also available.

iii. Pass such further suitable orders as this Hon'ble Tribunal may deem fit in the circumstances of the case.”

3. It is submitted that the 1st applicant had made a representation to the respondents seeking promotion of LDCs appointed under the pre-amended rules before 2005 to be promoted as UDCs with a qualifying service of 5 years. However, without replying to the representation, the respondents passed Annexure A7 order dated 27.2.2018 wherein the date of appointment as UDC against the names contained therein does not reflect the date from which the individuals acquired eligibility in terms of the pre-amended rules. Accordingly, the 1st applicant again made Annexure A8 representation dated 26.4.2018 which is pending before the competent authority. The applicants would be satisfied if the respondents are directed

to consider Annexure A8 representation and pass a detailed and speaking order.

4. Keeping in view the limited relief sought and without going into the substantive merits of the claim, the competent authority is directed to consider Annexure A8 representation dated 26.4.2018 of the 1st applicant in accordance with law and pass a reasoned and speaking order on the points raised in the representation para-wise within a period of six weeks from the date of receipt of a copy of this order.

5. OA is disposed of with the above direction at the admission stage.

(P.Madhavan)
Member(J)

30.8.2018

(R.Ramanujam)
Member(A)

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