

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Thursday 28th day of March Two Thousand And Nineteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)
THE HON'BLE MR. P. MADHAVAN, MEMBER(J)

OA. 430 of 2019

M. Jeyakanthan, S/o. S. Muthaiah,
Aged about 51, residing at 32/2,
Minor Thoppu Street, Uzhavar Santhai Back Side,
Palanganatham,
Madurai- 625 003.

....Applicant

(By Advocate: M/s. A. Rajaram)

Versus

1. The Post Master General,
Madurai Division, B.B. Kulam,
Madurai- 625 002;
2. The Senior Superintendent of Post Offices,
Madurai Division, Tallakulam,
Madurai- 625 002;
3. The Senior Postmaster,
Madurai Head Post Office,
Madurai- 625 001.

...Respondents

(By Advocate:Mr. Su. Srinivasan)

ORAL ORDER

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

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

"to set aside the impugned order passed by the 3rd respondent in Memo No. BII/PF/MJ dated at Madurai 30.05.2015 in view of the fact and grounds stated above it is prayed that this Hon'ble Tribunal may be graciously issued to call for the records pertaining to the impugned order passed by the 3rd respondent in Memo No. BII/PF/MJ dated at Madurai 30.05.2015 and quash the same and consequently direct the respondents to reinstate the applicant for the post of Postman and calculate the service seniority with monitory benefits from the year of 30.05.2015 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice."

2. When the matter is called, the applicant seeks to withdraw the OA with liberty to make a representation before the competent authority seeking reinstatement into service following his acquittal by the Trial Court as the charges on which the applicant was removed from service were the same.
3. Mr. Su. Srinivasan, Learned Senior Standing Counsel takes notice for the respondents has no objection to the above prayer.
4. Keeping in view the above submission and without going into the substantive merits of the case, the applicant is permitted to make a representation within a period of two weeks from the date of receipt of a copy of the order before the competent authority seeking reinstatement. On receipt of such representation, it is for the competent authority to consider if the facts on which the applicant was removed from service required to be

revisited in the light of the findings of the Trial Court and pass appropriate orders within a period of two months thereafter. It is made clear that we have not expressed any views on the merits of the contentions raised by the applicant herein.

5. OA is disposed of in the above terms. No costs.

(P. MADHAVAN)
MEMBER (J)

(R. RAMANUJAM)
MEMBER (A)

28.03.2019

Asvs.