

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00187/2019

Dated Wednesday the 20th day of February Two Thousand Nineteen

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

S.Sunilkumar,
10-2741, Sri Bhavan,
Checkala Street,
Vilavan Code,
Kuzhithurai (P.O.) 629163.

....Applicant

By Advocate M/s. V. Murali

Vs

- 1.Union of India, rep by the
Secretary to Ministry of Telecommunication,
New Delhi 110001.
- 2.Chief General Manager, Telecommunication,
Bharat Sanchar Nigam Limited,
Tamil Nadu Circle, New Administrative Building,
No. 16, Greams Road, Chennai 600006.
- 3.General Manager, Telecommunication,
Bharat Sanchar Nigam Limited,
Nagercoil 629001.

....Respondents

By Advocates Mr. Su. Srinivasan (R1)
Mr. M. S. Velusamy (R2 & R3)

ORAL ORDER

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

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

"To quash and set aside the second respondent impugned order dated 26.12.2018 cancelling the Presidential order in TSA/11-2/CANCELLATION OF POs/2017/41 after a lapse of 18 years."

2. The grievance of the applicant is that the applicant who had been an employee of the Department of Telecommunications was permanently absorbed in BSNL w.e.f. 01.10.2000. He had been granted terms & conditions as due to absorbed employees. However, after over 17 years, the respondents have now passed Annexure A8 impugned order cancelling the Presidential order dt. 14.12.2001 issued in this regard and directed that the applicant be treated as a BSNL recruitee.

3. Learned counsel for the applicant would allege that the aforesaid order was issued without any notice to the applicant. No such order affecting the interests of the applicant could be passed unilaterally and arbitrarily. The applicant apprehended recovery of excess payments, if any from him and also the loss of his entitlements as due to an ex-DoT employee.

4. Attention is drawn to the offer of appointment made to the applicant in May 2000 in the DoT followed by Annexure A2 direction dt. 24.08.2000 issued to the applicant to join training. The applicant was also sanctioned stipend by Annexure A3 order dt. 26.09.2000. Annexure A4 is a copy of the terms &

conditions issued to the applicant in the relevant year.

5. Mr. Su. Srinivasan, SCGSC takes notice for the 1st respondent and Mr. M.S.Velusamy takes notice for the 2nd & 3rd respondents.

6. I have considered the matter at the admission stage. It appears that the applicant has made Annexure A9 representation dt. 02.02.2019 to the 2nd respondent regarding his grievance. Accordingly, I am of the view that this OA could be disposed of at this stage without expressing any view on its merits, with a direction to the 2nd respondent to consider the applicant's representation dt. 02.02.2019 in accordance with law and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. *Status quo ante* as prevalent immediately before the issue of the impugned order shall be maintained in the meantime.

7. OA is disposed of at the admission stage.

(R. Ramanujam)
Member(A)
20.02.2019

SKSI