

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Monday 28th day of January Two Thousand And Nineteen

PRESENT:

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

O.A. 310/76/2019

V.S. Shanmugham,
Gramin Dak Sevak Branch Postmaster
(Put off duty),
Sirugumi Branch Office
K.G. Kandigai S.O.- 631 205,
Thiruvallur District.

....Applicant

(By Advocate: M/s. T. Nagappan G. Anandaiah)

Versus

1. Union of India Rep. by
Chief Postmaster General,
O/o. the Postmaster General,
Chennai City Region, Chennai- 600 002;
2. The Superintendent of Post Offices,
Kanchipuram Division,
Kanchipuram- 631 501;
3. Inspector of Post Offices,
Tiruttani West Sub-Division,
Tiruttani- 631 209.

...Respondents

(By Advocate: Mr. Su. Srinivansan)

ORAL ORDER

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

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

" to issue an order to cancel the put off duty orders which is continued after the first 90 days without review the order of putoff duty has to be treated as null and void and may deem fit and proper in the circumstances of the case and thus render justice."

2. The applicant is aggrieved that he was placed under put off duty by an order of the Inspector of Posts dated 25.1.2018 (Annexure-A/2) which was confirmed by Annexure-A/4 impugned order dated 30.1.2018 passed by the Superintendent of Post Offices. It is alleged that the applicant had been placed on put of duty unnecessarily and he had not been issued with any charge memo thereafter till date although a period of nearly one year has lapsed. Further, the applicant is being paid meagre ex-gratia payment of 25% of his time related continuity allowance of which he is seeking enhancement to 37.5%.
3. Learned counsel for the applicant would submit that the order dated 25.1.2018 passed by the Inspector of Posts was bad in law as he was not the competent authority to place the applicant under put off duty. Further even the order by the competent authority confirming such action had not been followed up with the issue of charge memo or disciplinary proceedings for almost one year and, therefore, the order must be deemed to have lapsed with effect from 90 days from the date of the original order.

4. Mr. Su. Srinivasan,Ld. Standing Counsel takes notice on behalf of the respondents.

5. We have considered the submission. From the documents attached to the OA, it does not appear that the applicant made a representation to the competent authority citing relevant rules/instructions in this regard and claiming reinstatement. Under such circumstances, we are of the view that it is premature for this Tribunal to interfere in the matter. Accordingly, we deem it appropriate to permit the applicant to submit a detailed representation to the competent authority regarding his grievance within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation the competent authority shall consider the same in accordance with law and pass a reasoned and speaking order within a period of four weeks thereafter.

6. O.A. is disposed of in the above terms. No costs.

(P. MADHAVAN)
MEMBER (J)

(R. RAMANUJAM)
MEMBER (A)

28.1.2019

Asvs.