

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1596/2018

Dated Wednesday, the 5th day of December, 2018

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

&

Hon'ble Mr.P.Madhavan, Judicial Member

J.Gunavathi,
CPW 'SK', CD-3166/111736,
Cordite Factory, Aruvankadu.

...Applicant

By Advocate M/s C.P.Sivamohan

Vs.

1.The General Manager cum Disciplinary Authority,
Cordite Factory, Aruvankadu,
Govt of India, Ministry of Defence,
Aruvankadu 643 202, Nilgiris District.

2.The Joint General Manager-Administration,
Cordite Factory, Aruvankadu,
Govt of India, Ministry of Defence,
Aruvankadu 643 202 Nilgiris District.

3.N.Sidharthan, Junior Works manager
& Head of Cordite Section, Cordite Factory,
Aruvankadu, Govt of India, Ministry of Defence,
Aruvankadu 643 202 Nilgiris District.

...Respondents

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

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for the entire records relating to the Charge Memo dated 09.02.2018 bearing No.1/DS/C/05/111796/18 issued by the 2nd respondent, by order and in the name of the 1st Respondent and the subsequent order of even number dated 08.11.2018 issued by the 1st respondent and quash the same as illegal, arbitrary and against all principles of natural justice and pass such further or other orders as this Hon'ble Tribunal may deem fit in the circumstances of the case and thus render justice.”

2. The applicant is aggrieved by the issue of Annexure A-3 charge memo dated 09.02.2018 against her following which Annexure A-9 order dated 08.11.2018 had been issued appointing an Inquiry Officer to enquire into the charges.

3. Learned counsel for the applicant would submit that the applicant is alleged to have made false complaints about her superior to the Union which allegation was not corroborated by any enquiry. Further, making a complaint to the Union is not a misconduct. Accordingly, the charge memo is liable to be quashed and set aside, it is contended.

4. On perusal it is seen that the applicant was charged with making false allegations against superiors that they threatened lady employees. Accordingly, One G.Ravi requested the General Manager to look into the matter and take appropriate action against the officers concerned. On investigation it was found that the complaint lodged against HOS/CD and

DVO/CD by Smt.Kokila, Smt.Gunavathi and Smt.Jayabharathy were false and baseless, based on the findings recorded therein. The applicant had been charged in the light of specific instructions as contained in OM dated 31.08.2015 as to how the applicants were expected to take up their grievances with superior officials. It is also stated that the valuable time of GM was wasted in conducting an inquiry in which the applicant's allegations were found false. The charge memo lists certain statements made by various persons as documentary evidence and also names of a few witnesses to sustain the charge.

4. As the applicant would have ample opportunity to defend herself in the process of inquiry, we are of the view that it is premature for the applicant to approach this Tribunal. The OA is devoid of merits at this stage and is dismissed.

(P.MADHAVAN)
MEMBER(J)

(R.RAMANUJAM)
MEMBER (A)

05.12.2018

M.T.