

CENTRAL ADMINISTRATIVE TRIBUNAL  
MADRAS BENCH

Dated the Friday 7<sup>th</sup> day of December Two Thousand And Eighteen

PRESENT:

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

O.A. No.1609 of 2018

G. Rajendra Prasad,  
No.2B, Jhansi Street,  
Indira Gandhi Nagar,  
Tenansalai Road,  
Puducherry- 605 001.

....Applicant

(By Advocate: M/s. D. Prasanna)

Versus

1. Union of India Rep. by its  
Chairman, Ministry of Labour,  
New Delhi;
2. Regional Provident Fund Commissioner-I,  
Regional Office-3,  
Rajaji Salai, Thambaran,  
Chennai- 600 045;
3. Regional Provident Fund Commissioner-I,  
Employees Provident Fund Organization,  
Regional Office, Vellore,  
S1-TNHB, Phase-III,  
Sathuvachari, Vellore- 632 009;
4. Regional Provident Commissioner-II,  
Employees Provident Fund Organization,  
Sub-Regional Office, No.101, 100 Ft. Road,  
Olandai Keera Palayam, Puducherry-4.

...Respondents

(By Advocate:Mr.M.T. Arunan)

**ORAL ORDER**

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

This O.A. has been filed by the applicant seeking the following reliefs:-

" to call for the records relating to the impugned proceedings issued by 3<sup>rd</sup> respondent vide order bearing TB/VCR/Vig/AVS/GBRP/2015-16 dated 24.09.2018 imposing the punishment of removal from service against the applicant and to quash the same and to direct the respondents to reinstate the applicant in service with arrears of pay and allowances, benefits and with all other attendance benefits."

2. Heard Ms. D. Prasanna, Ld. Counsel for the applicant on maintainability of the O.A. Mr. M.T. Arunan, Ld. Standing Counsel for the respondents takes notices for the respondents.
3. The applicant has approached this Tribunal directly without exhausting the remedy of appeal as provided for in the relevant rules. Learned counsel for the applicant would contend that the applicant is entitled to approach this Tribunal directly as his fundamental rights had been breached by imposing a penalty of dismissal from service. It is also submitted that the applicant had already filed an appeal dated 05.11.2018 which was sent by Registered Post to the respondents.
4. We have considered the plea. At this stage, when the matter is pending before the appellate authority, there is no reason for this Tribunal to

interfere. Accordingly, the O.A. is disposed of with a direction to the appellate authority to consider the appeal in accordance with law as also the facts of the case and pass a reasoned and speaking order within the time limit prescribed in the rules for disposal of such appeals.

5. The O.A. is disposed of as above. No costs.

(P.MADHAVAN)  
MEMBER (J)

(R. RAMANUJAM)  
MEMBER (A)

07.12.2018

Asvs.