

**Central Administrative Tribunal
Madras Bench**

OA/310/01256/2013

Dated Thursday the 13th day of December Two Thousand Eighteen

P R E S E N T

**Hon'ble Mr. P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)**

J.Ramaraju,
S/o Jothivel,
No.1400, Thendral Nagar,
Tiruchi Road,
Turaiyur
PIN 621 010. .. Applicant
By Advocate **Mr.R.Malaichamy**

Vs.

1. Union of India, rep by the
Chief Postmaster General,
Tamilnadu Circle,
Anna Salai,
Chennai 600 002.
2. The Postmaster General,
Central Region (TN),
Tiruchirapalli 620 001.
3. The Superintendent of Post Officers,
Srirangam Division,
Srirangam 620 006. .. Respondents

By Advocate **Mr.K.Rajendran**

ORAL ORDER

[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

The applicant has filed this OA seeking a direction to the 1st respondent to fix the applicant's seniority in the Postal Assistant cadre by taking into account the entry into service by the applicant in the cadre of Postal Assistant and not by taking into date of passing confirmation examination, in so far as the applicant is concerned after affording reasonable opportunity to the aggrieved persons if any and to consequently direct the respondents to give all service benefits to the applicant.

2. The respondents have entered appearance and filed a reply statement contesting the claim of the applicant stating that as per the instructions contained in DOPT OM dated 04.11.1992 reiterated by the Postal Directorate vide its letter dated 09.3.2011, the seniority of the Postal Assistants who have been appointed prior to 04.11.1992 is fixed on the basis of date of confirmation in the cadre and the seniority of the officials who have been appointed after 04.11.1992 would be determined by the order of merit indicated at the time of initial appointment in the grade. Accordingly the draft Circle Seniority List of Postal Assistants as on 01.1.2011 in Tamilnadu Circle appointed prior to 04.11.1992 has been prepared and circulated to the officials. Based on the same only the applicant represented to the respondents and the applicant was given a reply by Annexure R5 letter dated 18.10.2013 by the respondents. There are no orders for fixing seniority with reference to date of entry in the service. Therefore, the OA has become infructuous, it is contended.

3. However, today, when the matter is taken up for hearing, learned counsel for the applicant submits that since the respondents have replied to the representation of the applicant by Annexure R5 letter dated 18.10.2013, the OA may be closed with liberty to file a fresh one, if so advised. Necessary endorsement to this effect has been made by the learned counsel for the applicant in the records.

4. Taking into consideration the endorsement made by the learned counsel for the applicant in the records, the OA is closed with liberty to file a fresh one, if so advised. No costs.

(T.Jacob)
Member(A)

(P.Madhavan)
Member(J)

13.12.2018

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