

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00990/2016 in & OA/310/01940/2016

Dated Wednesday the 23rd day of January Two Thousand Nineteen

**CORAM: HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

R.Priyadarani,
No. 43, Ballar Palli Street,
Suthukeny, Puducherry.

....Applicant/Applicant

By Advocate M/s. M. Gnanasekar

Vs

1.Union of India rep by,
Secretary to Government,
Department of Personnel &
Administrative Reforms,
Puducherry.

2.Under Secretary to Government,
Department of Personnel &
Administrative Reforms,
Puducherry.

....Respondents/Respondents

By Advocate Mr. R. Syed Mustafa

ORAL ORDER

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

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

"i. To set aside the memo bearing No. A.34012/14/2010/DPAR(Exam)/PF/83 issued by Department of Personnel Administrative Reforms (Personnel Wing) dated 30.04.2015 passed by the 2nd respondent against the order of cancellation of the application on the basis of the common competitive examination held on 09.12.2012 to the post of LDC and consequently direct the respondents to appoint the applicant as LDC with all consequential monetary and other benefits.

ii. Pass such further orders as are necessary to meet the ends of justice.

iii. Award costs and thus render justice."

2. It is submitted that the applicant appeared in the selection for the posts of LDC Store Keeper Grade-III, Typist, etc in response to a notification by the 2nd respondent dt. 02.12.2011. She emerged successful in the written examination for the post of LDC. She also received a message directing to participate in certificate verification. However, she was not favoured with an appointment order.

3. Learned counsel for the respondent would submit that the production of community certificate issued by the competent authority was *sine qua non* for the appointment as the applicant had claimed to belong to SC category. It is submitted that no SC certificate was produced by the applicant as required in the employment notification either at the time of certificate verification or even subsequently. In such circumstances, the OA is devoid of merits and is liable to be dismissed, it is contended.

4. We have considered the pleadings and the submission made by the rival counsel. It is not in dispute that the applicant failed to produce the community certificate and nativity certificate issued by the competent authority at the time of certificate verification. The production of two certificates is *sine qua non* as the employment is open for natives/residents of the Union Territory of Puducherry only and also the fact that the applicant had claimed to be from the SC category. No evidence has been produced to the effect that she had produced the same even belatedly. In such circumstances, we are of the view that the applicant has not made out a case for interference by this Tribunal.

5. OA is misconceived and is accordingly dismissed. MA for condonation of delay stands disposed of accordingly.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

23.01.2019

SKSI