

**Central Administrative Tribunal
Madras Bench**

CP/310/00034/2019 in OA/310/00076/2019

Dated the 31st day of July Two Thousand Nineteen

P R E S E N T

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

V.S.Shanmugham,
Gramin Dak Sevak Branch Post Master(put off),
Sirugumi Branch Office,
K.G.Kandigai SO 631 205,
Tiruvallur District. .. Applicant/Applicant

By Advocate **M/s.T.Nagappan**

Vs.

1. Shri M.Sampath, IPS,
S/o Shri Murugan,
Chief Post Master General,
Tamil Nadu Circle,
Chennai 600 002.
2. Shri K.Shivaji Ganesh,
Superintendent of Post Offices,
Kanchipuram Division,
Kanchipuram 631 501.
3. Shri Kowsihck,
Inspector of Post Offices,
Tiruttani West Sub Division,
Tiruttani 631 209. .. Respondent/Respondent

By Advocate **Mr.M.Kishore Kumar-SPC(R1-3)**

ORDER

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

This CA has been filed by the applicant in OA 76/2019 against the respondents alleging wilful disobedience of the order passed by this Tribunal in OA 76/2019 dated 28.1.2019. Notice was issued to the respondents.

2. The applicant had filed the OA seeking to issue an order to cancel the put off duty orders which is continued after the first 90 days without review and the order of put off duty has to be treated as null and void in the circumstances of the case. This Tribunal, by order dated 28.1.2019 permitted 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 the order and on receipt of such representation the competent authority was directed to consider the same in accordance with law and pass a reasoned and speaking order within a period of four weeks thereafter.

3. The case of the applicant is that the respondents has not obeyed the direction of this Tribunal dated 28.1.19.

4. Today, when the matter is taken up, counsel for the respondent submits that the order of this Tribunal had since been complied with and accordingly the CP be closed.

5. We have heard the counsel for the applicant and the counsel for the respondents and perused the order in OA 76/19. As per the said order, this Bench had permitted

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 the order and on receipt of such representation the competent authority to pass a reasoned and speaking order within a period of four weeks thereafter. On a perusal, it is seen that the applicant had submitted a representation on 14.2.2019 to the 2nd respondent and on receipt of communication from the 2nd respondent to submit an representation to the competent authority, the applicant had submitted a representation dated 03.4.2019 to the Director of Postal Services, Chennai City Region, Chennai. The said representation was considered by the respondents and rejected the same by a speaking order dated 06.5.19 which is produced herein as Annexure A6.

6. In view of the above, there is no wilful disobedience and the CA is, therefore, liable to be closed.

7. CA is closed. Notices of contempt are discharged.

(T.Jacob)
Member(A)

31.07.2019

(P.Madhavan)
Member(J)

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