

**Central Administrative Tribunal
Madras Bench**

OA 310/00918/2019 & MA 373/2019, 374/2019

Dated Wednesday the 17th day of July Two Thousand Nineteen

P R E S E N T

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

1. M. Kannaki
2. S. Manickavasan
3. M. Venkatesan

... Applicants

By Advocate M/s. P.R. Satyanarayanan

1. Union of India represented by
Chief Postmaster General
Tamil Nadu Circle
Chennai 600 002.

2. Postmaster General
Central Region
Tiruchirappalli – 620 001.

3. Senior Superintendent of Post Offices
Vriddhachalam Postal Division
Vriddhachalam – 606 001.

... Respondents

By Advocate Mr. Su. Srinivasan

ORAL ORDER

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

MA 373/2019 is filed for joining the applicants together and filing single OA and MA 374/2019 is filed for condoning delay of 336 days in filing the OA. Both the MAs are allowed.

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

“To call for the records relating to the impugned proceedings No. B II/137/2017 dated 29.05.2017 issued by the third respondent and proceedings No. REP/2-Misc/2016 dated 26.07.2017 issued by the first respondent and quash them as arbitrary and illegal and direct the respondents to appoint the applicants as Postal Assistant under 'UR'/'OBC' category in Vriddhachalam Postal Division as may be applicable to the case based on their merit position released by the first respondent in respect of the DR Examination for GDS to PAs/SAs for the unfilled vacancies of departmental quota of the years 2013 and 2014 and pass such further or other orders”

3. The applicants are from OBC community and their case is that they had participated in the selection of Postal Assistants conducted for Vridhachalam Postal Division and they have come out successful and they are now in the select list under the UR quota. According to them, the respondents are not appointing them due to pendency of OAs 78/2017 and OA 94/2017 wherein the applicants are from SC community and they were permitted to participate in the skill test by the Tribunal provisionally. It was also directed in OA 78/2017 that the result of the applicants therein shall not be published till disposal of the OA.

4. Mr. Su. Srinivasan takes notice for the respondents.
5. When the matter came up, we have heard the counsels appearing for both sides. We have also perused the orders of this Tribunal in OA 78/2017 and 94/2017. There is no stay ordered by this Tribunal in proceeding with the appointment of others and publishing result. There is no reason to stall the appointment of the applicants on the basis of the orders passed in the above OAs.
6. The counsel for the applicants will be satisfied if a direction is given to the respondents to proceed with the appointment of others. The counsel representing respondents has no objections.
7. In view of the submission, **we hereby direct the respondents to continue with the appointments of persons selected without waiting for the outcome of OA 78/2017 and OA 94/2017 without any delay. It is made clear that this Tribunal has not ordered any stay in proceeding with the result of others who are not parties to OA 78/2017 and OA 94/2017.**
8. OA is disposed of with the above direction.

(T. Jacob)
Member(A)
AS

17.07.2019

(P. Madhavan)
Member (J)