

**Central Administrative Tribunal
Madras Bench**

OA 310/00879/2019

Dated Monday the 15th 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)

G. Sabapathi
No. 3, Thirukulam Street
Pillaichavady
Puducherry – 14.

... Applicant

By Advocate **M/s. K Sasindran**

1. Union of India represented by
The Director
Department of Family and Welfare Services
Government of Puducherry
Puducherry.

2. The Deputy Collector
Revenue Department
Collector Officer
Vazhudhavur Road
Puducherry.

3. The Thasildhar
Revenue Department
Collector Officer
Vazhudhavur Road
Puducherry.

... Respondents

By Advocate **Ms. S. Devie**

ORAL ORDER

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

The applicant has filed this OA on 08.07.2019 under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“i. To direct the respondents forbearing them from cancelling the applicant's selection of the post of nursing officer till the disposal of his application for residential certificate pending on the file of the 3rd respondent.

ii. To pass such further or other order or direction as this Tribunal may deem fit and proper in the circumstances of the case, award costs and thus render justice.”

2. The applicant states that he was selected to the post of Staff Nurse on merit. The first respondent is taking steps to fill up the posts from the select list now. The applicant was asked to produce his certificates in original as mentioned in the notification dated 05.03.2019.

3. He has to produce residence certificate issued by third respondent, the Tahsildar, Revenue Department, Puducherry for getting appointed. He had applied for getting certificate from the third respondent but the third respondent has not issued the same till date. He had also applied to the Deputy Collector, Revenue Department on 04.06.2019 itself for issuing a direction to issue the same (Annexure A4). He had applied to the Director, Department of Family and Welfare, Government of Puducherry regarding the non-issue of certificate and requesting to hold his vacancy considering the difficulty caused by third

respondent. There is no latches on his part. Now he approached the Hon'ble Madras High Court seeking a writ of mandamus (WPSR No. 87100/2019) as a last resort. The counsel submits that he will be satisfied if a direction is given to the first respondent to withhold the vacancy which may be due to the applicant.

4. We have heard both sides. The applicant is provisionally selected to the post by the second respondent and the only thing remains is certificate verification. The residency certificate has to be given by the third respondent. From the records, we see that the applicant had approached second and third respondents for the same in the month of June itself and so far second and third respondent had not either granted it or denied it. The applicant had also approached the Hon'ble Madras High Court for a writ of mandamus as second and third respondents are not doing the duty cast upon them. Hence we find that justice will be met if 30 days time is granted to the applicant to produce all the required certificates.

5. Hence OA is disposed of with a direction to the first respondent to hold the vacancy of the applicant for a period of 30 days for facilitating the production of certificates for verification from the date of this order.

(T. Jacob)
Member(A)

15.07.2019

(P. Madhavan)
Member (J)

AS