

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.86/2017

Dated Friday, the 26th day of April, 2019

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

&

Hon'ble Mr.P.Madhavan, Judicial Member

N.Thiruppavai,

W/o.M.Sankar,

No.67, Middle Street,

Kumaramangalam,

Natcharkoil SO 612 602

... Applicant

By Advocate M/s R. Malaichamy

Vs.

1. Union of India

Rep. By its Secretary

Department of Posts Ministry of Communication & IT

Dak Bhavan, Sansad Marg

New Delhi – 110 001.

2. The Chief Postmaster General

Tamil Nadu Circle

Anna Salai,

Chennai – 600 002.

3. The Senior Superintendent of Post Offices

Kumbakonam Divison

Kumbakonam 612 001. ... Respondents

By Advocate Mr. Su. Srinivasan

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

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

"i. To call for the records of the 2nd respondent pertaining to his order which is made in No. REP/4-4/2014 dated 29.06.2016 in so far as the condition regarding 'the applications need not be called for where there is no vacancy' which is stated in para 8(ii) is concerned and set aside the same; consequent to

ii. direct the respondents to select and appoint the applicant as Postal Assistant/Sorting Assistant for the vacancies notified for OBC/UR in any Divisions of the 2nd respondent Circle subject to come out successful in the Computer Skill Test (Paper II examination); and

iii. To pass such further or other orders as this Hon'ble Court may deem fit and proper".

2. It is submitted that the applicant was permitted to take Paper II Computer Skilled Test provisionally subject to the outcome of this OA as per the interim order of this Tribunal dated 25.01.2017.

3. Learned counsel for the respondents now produces a copy of the marks secured by the candidates along with the minimum qualifying marks and submits that the applicant who

was considered to be UR category, ought to secure a minimum of 40 in Paper II whereas she could secure only 27.60. Even if it is contended that the applicant was entitled to be considered in the category of OBC, the minimum marks for OBC was 37 and the applicant was way below the minimum. As the applicant had not qualified, this OA is infructuous, it is contended.

4. Learned counsel for the applicant would, however, submit that there were legal issues to be gone into in this case and, therefore, the matter could not be closed. It is further submitted that the applicant had not been informed of the outcome of the selection although there was no direction by the Tribunal to keep it in a sealed envelope.

5. We have considered the submission. Since the applicant has failed to secure the minimum marks prescribed even for SC/ST, we are inclined to agree with the learned counsel for the respondents that this OA is infructuous. However, since it is submitted that the applicant has not been informed of the

outcome, the respondents are directed to communicate the result to the applicant forthwith.

6. OA is disposed of with the above direction.

**(P.MADHAVAN)
MEMBERJ)**

26.04.2019

M.T.

**(R.RAMANUJAM)
MEMBER (A)**