

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Friday 3rd day of May Two Thousand And Ninteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)
THE HON'BLE MR. P. MADHAVAN, MEMBER (J)

OA 310/639/2019

&

OA 310/640/2019

1. Alexander A,
S/o. Arokiasamy,
No.5, Kinatru Street,
Kasthuribai Nagar,
Nellithope,
Puducherry- 605 005.

...Applicant in OA.639/2019

2. S. Yogaraja,
S/o. Sugumaran,
23e2 Kalavasal North 4th Street,
Bharathiar Nagar,
Cumbum, Theni- 625516.

...Applicant in OA.640/2019

(By Advocate: M/s. Shaikh Mehrunisa)

Versus

1. The Director,
Jawaharlal Institute of Post Graduate Medical
Education and Research (JIPMER),
Dhanvantri Nagar,
Puducherry- 605 006;

2. The Deputy Director,
Jawaharlal Institute of Post Graduate Medical
Education and Research (JIPMER),
Dhanvantri Nagar,
Puducherry- 605 006.

...Respondents in both OAs

(By Advocate: Mr.M.T. Arunan)

ORAL ORDER

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

Both the OAs are taken up together as it is submitted that except that the applicants are different, all other issues as well as the relief sought in the two OAs are same. The reliefs sought for in the two OAs are as follow:-

"a) to direct the respondents to consider the representation of the applicant dated 27.12.2018 in OA. 639/2019 and 12.03.2019 in OA.640/2019 and to appoint them as Nursing Officer as per the provisional list dated 14.06.2019;

b) to pay the cost of the application;

c) for such further or other relief or reliefs as this Hon'ble Tribunal may deems fit and proper in the circumstances of the case and thus render justice."

2. The applicants are aggrieved by their non-selection to the post of Nursing Officer based on their performance in the computer based written test and certificate verification. It is submitted that several persons had been selected who had not joined and the applicants who were included in the provisional wait list could be appointed against resultant vacancies. It is also alleged that all the vacancies in the post of Nursing Officer 2018 allotted to UR, OBC, SC & ST categories had not been completely filled up as advertised. As the applicants were alleged to be fully qualified, their appointment either under UR or OBC category could be made.

3. Mr. M.T. Arunan, Learned Standing Counsel takes notice for the respondents.

4. As it is submitted that the representations of the applicants as at Annexure-A/8 dated 27.12.2018 and 12.3.2019 in O.A. 639/2019 and OA. 640/2019 respectively are pending with the competent authority, it is premature for this Tribunal to interfere in the matter. Accordingly, we deem it appropriate to direct the competent authority to consider the said representations of the applicants in accordance with the relevant rules and pass a reasoned and speaking order within a period of three months from the date of receipt of copy of the order.

5. The OAs are disposed of with the above direction. No costs.