

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00567/2018

Dated Friday the 27th day of April Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

K. Banumathi
W/o. Amalrajan
Multi Tasking Staff (General)
Legislative Assembly
Puducherry.Applicant

By Advocate M/s. N.A. Nissar Ahmed

Vs

1. Union of India
Rep. by Chief Secretary
of Union Territory of Puducherry
2. The Government of Puducherry
Rep by Under Secretary
Department of Personnel and
Administrative Reforms, (Personnel Wing)
Puducherry.
3. The Under Secretary
Department of Personnel and
Administrative Reforms
Puducherry.Respondents

By Advocate Mr. R. Syed Mustafa

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

Heard. The applicant has filed this OA seeking the following reliefs:

“To declare Clause 11 of the Schedule of the Recruitment Rules to the post of Telephone Operator of the Government of Puducherry Group C Post of Telephone Operator Recruitment Rules 2008 in far as restricting only Multi Tasking Staff (General) with three years of service in that grade as unconstitutional, irrational, ultra vires and consequently direct the respondents to promote the petitioner to the post of telephone operator in the Legislative Assembly Secretariat Puducherry with all attendant and monetary benefits.”

2. Learned counsel for the applicant submits that the applicant is aggrieved by the new Recruitment Rules by which the qualification for promotion for the post of Telephone Operator has been raised to a pass in S.S.L.C. or its equivalent as also a pass in a Certificate Course in Telephone Operator conducted by any institution recognised by the Government. It is submitted that the applicant was entitled to promotion against vacancies which had arisen before the new Rules came into effect. The new rules cannot operate retrospectively and adversely on the applicant. The applicant submitted a representation dated 21.03.2018 in this regard to the Competent Authority which is still under consideration. Accordingly, the applicant would be satisfied if the Competent Authority is directed to consider his representation and pass a reasoned and speaking order within a time

limit.

3. Mr. R. Syed Mustafa takes notice on behalf of the respondents.
4. Keeping in view the limited relief sought and without going into the merits of the applicant's claim, I deem it fit to direct the respondents to consider Annexure A4 representation of the applicant dated 21.03.2018 in accordance with law and pass a detailed and speaking order within a period of six weeks from the date of receipt of copy of this order.
5. OA is disposed of as above at the admission stage.

**(R. Ramanujam)
Member(A)
27.04.2018**

AS