

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1655/2016

Dated Friday, the 26th day of April, 2019

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

&

Hon'ble Mr.P.Madhavan, Judicial Member

1. A. Saravanan
2. G. Chellapandian
3. B. Muniyandi
4. M. Arunagiri
5. M. Ponnammal
6. K. Arivalagan
7. A. Arumugam
8. C. Deepalakshmi
9. K. Kathirvel
10. S. Vanilla
11. S. Sudha
12. A. Chellapandi
13. P. Karthikeyan
14. V. Karuppasamy
15. T. Krishnan
16. C. Chellan

.... Applicants

By Advocate M/s R. Rengaramujam

1. The Union of India

Represented by Director General of Posts

Dak Bhawan, New Delhi.

2. The Chief Postmaster General

Tamil Nadu Circle Chennai – 600 002.

3. The Postmaster General

Southern Region Madurai 625 002.

4. The Senior Superintendent of Post Offices

Madurai Division Madurai 625 002.

5. Assistant Superintendent Posts

Madurai North Sub-Division

Madurai – 625 002.

6. Assistant Superintendent Posts

Madurai South Sub Division

Madurai – 625 001.

7. Inspector Post

Solavanthan Sub-Division

Vadipatti – 625 218.

... Respondents

By Advocate Ms. Shakila Anand

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

Heard. The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To direct the respondents to consider their claim for absorption in the existing and future vacancies in the post of GDS by including their name in the devtailed list and absorb them in regular vacancies in regular time scale of pay in accordance with their seniority as per the scheme framed by the 1st respondent and as per the orders of this Tribunal in OA No. 216 of 2002 and batch cases which was upheld by the Hon'ble High Court, Chennai in WP Nos. 5026 of 2003 and confirmed by the Hon'ble Supreme Court in SLP No. 21825 of 2006”.

2. It is submitted that the applicants were appointed as Casual Labourers and ED outsiders (subsequently renamed as GDS) in Madurai Southern Region in various Post Offices. The applicants were fully qualified to hold the posts and they had also completed 240 days of service within a continuous period of 24 months, put in more than 20 years of service and were still in service. The applicants were entitled to absorption as regular GDS. However, as the applicants failed to receive 'justice' at the hands of the competent authority, they filed this OA.

3. Learned counsel for the applicants alleges that the applicants were similarly placed as those in OAs 1208/2013 & batch disposed of by an order of this Tribunal dt. 06.08.2018 with a direction to the authorities to confer the benefits of the decision in **A. Suguna & Guruswamy** cited therein for inclusion of the applicants in the dovetailed seniority list prepared in terms of the 23.12.1993 scheme as applied to the said Suguna, a 1998 appointee. Although the respondents have not yet complied with this order, as far as this Tribunal is concerned, the matter should be considered settled and a similar order be passed in the instant case, it is urged.

4. Learned counsel for the respondents would submit that the respondents had not implemented the order passed by this Tribunal in OAs 1208/2013 & batch dt. 06.08.2018 and, therefore, the applicants being similarly placed is not relevant at this stage. The respondents proposed to file a Writ Petition in the Hon'ble Madras High Court against the said order and the matter would attain finality only in due course subject to the orders of the High Court.

5. Learned counsel for the applicants would, however, submit that recently this Tribunal had passed an order in OA 863/2013 disposing of the case subject to the outcome of any Writ Petition filed by the respondents and urges that a similar order be passed.

6. Keeping in view the above submission and the order passed by this Tribunal in OA 863/2013 dt. 29.11.2018, this OA is also disposed of with the following direction :-

"The respondents are directed to grant the same benefit to the applicants herein as the applicants in OAs 1208/2013 & batch if similarly placed, subject to the outcome of the Writ Petition, if any filed before the Hon'ble Madras High Court."

7. OA is disposed of. No costs.

**(P.MADHAVAN)
MEMBERJ)**

26.04.2019

M.T.

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