

**Central Administrative Tribunal
Madras Bench**

OA/310/01570/2015

Dated the 3rd day of December Two Thousand Nineteen

P R E S E N T

**Hon'ble Mr. P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)**

V.Packiaraj
S/o R.Velusamy,
No.47-A, R.A.C. Quarters,
Havelock Road,
Ooty 643 001. .. Applicant
By Advocate **M/s.K.Raja**

Vs.

1. Union of India, rep. by
National Centre for Radio Astrophysics,
Tata Institute of Fundamental Research
rep by its Director, Post Bag 3,
Ganeshkind, Pune University Campus,
Pune 411 007.
2. Union of India rep. by
National Centre for Radio Astrophysics,
Tata Institute of Fundamental Research
rep by its Head, Post Bag 3,
Ganeshkind, Pune University Campus,
Pune 411 007.
3. Union of India, rep. by
National Centre for Radio Astrophysics,
Tata Institute of Fundamental Research
rep by its Head, ORT Campus,
Udhagamandalam (Ooty). .. Respondents

By Advocate **Mr.King & Partidge**

ORDER

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

The above OA is filed seeking the following relief:-

“....to call for the records relating to the Memo No.NCRA/Estt/VPA034/2K15/639E dt. 20.10.2015 of the second respondent and quash the order passed therein and pass such other or further orders as this Tribunal may deem fit to pass and render justice.”

2. The applicant is working as Assistant Administrative Officer-B in the respondents' institution. While working there, the 2nd respondent had issued a Charge Memo on 20.10.15 for making false allegations against his Superior Officer and acted in a manner unbecoming of a government employee. Hence the applicant has filed this OA to quash the Charge Memo issued against him.

3. The respondents entered appearance and filed a detailed reply denying the allegations made in the OA. The counsel appearing for the respondents had raised a question as to whether this OA is maintainable under the AT Act. According to the counsel for the respondents, the respondents' institute is a registered Trust under Bombay Trust Act and it is not notified under Section 14(2) of the AT Act, 1985. It is an autonomous body under the Department of Atomic Energy. Eventhough the respondent has raised a question of maintainability, the applicant could not produce any evidence to show that National Centre of Astrophysics, TIFR is notified under Section 14(2) of AT Act. On a perusal of the Appendix I of AT Act, we could not find

that the respondents' institute is brought under the jurisdiction of AT Act.

4. So, we are of the view that this OA is not maintainable before this Tribunal.

Accordingly, OA will stand dismissed. No costs.

(T.Jacob)
Member(A)

(P.Madhavan)
Member(J)

03.12.2019

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