

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

MA No.182/2019 in & OA.No.397/2019

Dated Friday, the 22nd day of March, 2019

PRESENT

**Hon'ble Mr.R.Ramanujam, Administrative Member
&
Hon'ble Mr.P.Madhavan, Judicial Member**

- 1.B.Ashok Kumar
- 2.K.Annamalai
- 3.M.G.Gajalakshmi
- 4.K.Jayendran
- 5.K.Navaneetham
- 6.C.Nagarani
- 7.P.Tamilarasu
- 8.T.Gunasekaran
- 9.R.A.Geetha
- 10.S.Usha
- 11.G.Rajakumar
- 12.T.C.Narahari
- 13.Bharani Yuvaraj Kumar
- 14.K.Krishnasamy
- 15.S.Malarvizhi

...Applicants

By Advocate M/s P.R.Satyanarayanan

Vs.

1.Union of India, rep., by
The Secretary, Department of Posts,
Dak Bhavan, New Delhi 110 001.

2.Chief Postmaster General,
Tamilnadu Circle,
Chennai 600 002.

3.Senior Superintendent RMS,
Airmail Sorting Division,
Chennai 600 016.

...Respondents

By Advocate Mr.Su.Srinivasan

ORDER

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

Heard. MA No.182/2019 filed by the applicants for joining together to file a single OA is allowed.

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

“(i)To call for the records relating to the proceedings (I) No.B4/RTP/Rep dated 05.03.2018, (ii)No.B4/RTP/Rep dated 25.06.2018 (iii)No.B4/RTP/Rep dated 4/10-07-2018, (iv) No.B4/RTP/Rep dated 28.08.2018 and (v) No.B4/RTP/Rep dated 05/08-08-2018 passed by the third respondent and quash them as arbitrary, discriminatory and irrational and direct the respondents to reckon the service rendered by the applicants as Reserved Trained Pool Sorting Assistants from their initial date of engagement till their actual regularization as service for all purposes viz., TBOP, BCR and MACP and grant all other consequential benefits with all arrears of pay and allowances arising therefrom and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.”

2. The applicants are aggrieved by Annexure A-21 impugned orders dated 05.03.2018 in the case of the applicants no.1 to 7 & 15, Annexure A-22 impugned order dated 25.06.2018 in the case of the eighth applicant, Annexure A-23 impugned order dated 04/10.07.2018 in the case of applicants no. 9 to 11, Annexure A-24 impugned order dated 28.08.2018 in the case of applicants no.12 &

13 and Annexure A-25 impugned order dated 05/08.10.2018 in the case of applicant no.14 by which their request to be treated similarly as the applicants/petitioners before the Hyderabad Bench, Mumbai Bench and the Hon'ble High Court of Judicature at Hyderabad for Telungana in WP No.17425/2016 had been turned down on the ground that the orders of the Tribunal/the Hon'ble High Court were applicable only to the individual applicants in the OA and was in personam.

3. Learned counsel for the applicants would produce copy of the order of this Tribunal in a similar case in OA 1728/2018 dated 31.12.2018 in which the respondents were directed to consider the matter comprehensively in the light of the observations contained therein as also the law in regard to the applicability of the ratio of the orders of courts in similarly situated persons, as laid down in judgment dated 17.10.2014 of the Hon'ble Apex court in the case of State of UP & Ors Vs. Arvind Kumar Srivastava & Ors in CA 9849/2014 and submit that the applicants would be satisfied if a similar order is passed in this case.

3. Mr.Su.Srinivasan, SCGSC takes notice for the respondents and submits that there would be no objection to the Tribunal passing a similar order in this case, as the applicants herein claim to be

similarly placed.

4. Keeping in view the above submission and without going into the substantive merits of the case, we deem it appropriate to dispose of this OA with a direction to the competent authority to consider the matter comprehensively in terms of the directions contained in the order of this Tribunal in OA 1728/2018 dated 31.12.2018 and pass a reasoned and speaking order, within a period of three months from the date of receipt of a copy of this order.

5. OA is disposed of.

(P.MADHAVAN)
MEMBER(J)

(R.RAMANUJAM)
MEMBER (A)

22.03.2019

M.T.