

2. Second plea in law, alleging infringement of Article 46(c) of Regulation (EC) No 45/2001, read in the light of Article 8(3) of the Charter of Fundamental Rights of the European Union, in so far as the EDPS erred in finding that it had no remit to examine the applicant's complaint.

(¹) Confidential information omitted.

Action brought on 20 July 2017 — TV v Council

(Case T-453/17)

(2017/C 347/38)

Language of the case: French

Parties

Applicant: TV (represented by: L. Levi and A. Blot, lawyers)

Defendant: Council of the European Union

Form of order sought

— Declare the present action admissible and well-founded;

Consequently,

- Annul the decision of 19 August 2016 dismissing the applicant at the end of his probation period, namely 1 September 2016;
- Annul the decision of the Appointing Authority of 11 April 2017 rejecting the applicant's claim of 4 November 2016;
- Award the applicant the sum of EUR 20 000 in respect of the non-pecuniary harm suffered;
- Order the defendant to pay all the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on five pleas in law.

1. First plea in law, alleging infringement of the obligation to state reasons.
2. Second plea in law, alleging that the contested decision is unlawful, in that it confirms the conclusion of the opinion of the Reports Committee (CORAP), which substituted its own evaluation for that of the reporting officers.
3. Third plea in law, alleging manifest errors of fact and law vitiating the grounds on which the probation report is based.
4. Fourth plea in law, alleging a lack of normal probation conditions.
5. Fifth plea in law, alleging infringement of the duty of care and the principle of sound administration.

The applicant is of the opinion, moreover, that the illegalities set out in the pleas for annulment are all failings imputable to the defendant. The applicant is therefore also seeking compensation for the non-pecuniary harm allegedly caused by the contested decisions.
