

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.79/2020

Dated Thursday, the 13th day of February, 2020

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

R. Iyyappan

No. 52/18, Kodiyankuppam

Pudukuppam, Cuddalore

Tamil Nadu – 607 001.

...Applicant

By Advocate M/s Ratio Legis

Vs

1. Union of India represented by

The General Manager

Southern Railway

Park Town, Chennai – 3.

2. The Divisional Personnel officer

Tiruchchirappalli Division

Southern Railway, Trichy.

...Respondents

By Advocate Mr. P. Srinivasan

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

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

"To call for the representation dated 13.08.2018 (sic) and the Master Circular No. 16 issued by the Railway Board and further to direct the respondents to consider the applicant for appointment on compassionate grounds in accordance with the Master Circular No. 16 issued by the Railway Board and other mandatory provisions and to pass such other/orders as this Tribunal may deem fit and proper and thus to render justice."

2. The applicant is the son of late P.Rajendran who, while working as a Plumber in the respondent department, died in harness on 01.09.1991. The grievance of the applicant is that his request for compassionate appointment was negatived by the respondents vide order dated 08.01.2008 stating that the applicant was the second widow's ward against which he has filed OA 133/2008 but the same was dismissed on 12.02.2009. Thereafter, the Hon'le Supreme Court by order dated 11.12.2018 in Civil Appeal No.12015/2018 held in favour of the applicant and hence he has made a representation dated 13.08.2018 relying on the said judgment which evoked no positive response and hence he has filed the OA.

3. When the matter came up for hearing today, the learned counsel for the applicant submits that the applicant will be satisfied if his representation dated 13.08.2018 is considered and disposed of as per the latest OM No.E(NG)II/2016/RC-1/CR/12(Pt) dated 30.12.2019 (copy of

the same is produced in the open court after serving on the counsel for the respondents) and orders are passed, within a stipulated time limit.

4. Mr.P.Srinivasan, senior standing counsel for Railways submits that the respondents have no objection for disposal of the representation of the applicant on merits.

5. In view of the limited submission and without going into the merits of the case, the OA is disposed of in the following lines:

"The competent authority is directed to consider the applicant's representation dated 13.08.2018 on the basis of the latest OM No.E(NG)II/2016/RC-1/CR/12(Pt) dated 30.12.2019 and pass a speaking order, within a period of three months from the date of receipt of a copy of this order."

**(T.JACOB)
MEMBER (A)**

13.02.2020

M.T.

**(P.MADHAVAN)
MEMBER (J)**