

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Wednesday 25th day of April Two Thousand And Eighteen

PRESENT:
THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A.310/00542/2018

Smt. P. Kandammal,
W/o. (Late) K. Perumalsamy,
Ex. G.K.SVPR,
18/205, North Karisakulam Post,
Srivilliputhur – 626 125.Applicant

(By Advocate : M/s. D. Nellaiappan)

VS.

Divisional Personnel Officer,
Southern Railway,
Madurai- 16.Respondents

(By Advocate: Mr. P. Srinivasan)

ORAL ORDER

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

Heard. This O.A. has been filed by the applicant seeking a direction to the respondents to grant appointment to her daughter, Kavitha on compassionate grounds. The case of the applicant is that her husband while working as Senior Gate Keeper died in harness on 21.06.2011 leaving behind the applicant, three daughters, namely, i) Ramalakshmi, ii) Vadivel iii) Kavitha, W/o. Mr. Jothimani and one son, Sri Harigopalakrishnan. It is submitted that due to the applicant's ill-health, she was not in a position to accept the offer of compassionate appointment. Since the youngest son of the applicant, Sri Harigopalakrishnan was working in Defence Services and other daughters, Ms. P. Ramalakshmi and Ms. P. Vadivel were not willing to work, therefore, compassionate appointment may be offered to Ms. Kavitha, who has to take care of two small daughters after being deserted by her husband, Jothimani. Ms. Kavitha along with her two daughters were constrained to live with the applicant, it is submitted. The request made by the applicant to appoint Ms. Kavitha on compassionate grounds was rejected by a letter dated 25.02.2015 which is impugned in the instant O.A. seeking the aforesaid relief.

2. Learned counsel for the applicant submits that applicant is aggrieved by the rejection of her representation for appointment on compassionate grounds of her married daughter, Ms. P. Kavitha following the death of her husband K. Perumalsamy. Representation was made on 27.3.2013 which

was rejected on 25.02.2015 by a non-speaking communication. On perusal of the impugned order, it is seen that the applicant's request appointment on compassionate grounds in favour of Smt. P. Kavitha, married daughter of (Late) K. Perumalsamy, ex GM/SVPR had been 'regretted' by the General Manager. No reasons have been given for such 'regret'.

3. It is submitted that the applicant would be satisfied if the respondents are directed to pass a reasoned and speaking order in accordance with rules in regard to her claim for compassionate appointment within a period of time limit to be set by the Tribunal.

4. Mr. P. Srinivasan, Learned Standing Counsel takes notice for the respondents.

5. Keeping in view the limited relief sought and without going into the substantive merits of the applicant's claim, I deem it appropriate to direct the respondent to pass a reasoned and speaking order on the claim of the applicant for compassionate appointment to her daughter duly disclosing the manner in which the financial condition of the family of the applicant was assessed, the posts for which the applicant was considered and the reasons why she could not be considered eligible/fit for appointment within a period of six weeks from the date of receipt of copy of this order.

6. O.A. is disposed of accordingly. No costs.

(R. RAMANUJAM)
MEMBER(A)

25.4.2018

asvs.