

**Central Administrative Tribunal
Madras Bench**

OA/310/00210/2018 & MA 310/00100/2018, 310/00101/2018

Dated Wednesday the 5th day of September Two Thousand Eighteen

P R E S E N T

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

P. Savitha
No. 187, Sathyanarayanan Street
Gnanamoorthy Nagar
Pattalavakkam
Ambattur, Chennai. .. Applicant

By Advocate M/s. D. Rajagopal

Vs.

1. Union of India represented by
The Chief Postmaster General
Office of the Chief Postmaster
Tamil Nadu Circle
Chennai, Tamil Nadu.
2. The Superintendent
R.M.S. Chennai Sorting Division
Chennai – 600 008. .. Respondents

By Advocate Mr. K. Rajendran

ORAL ORDER

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

Heard. The applicant has filed this OA seeking the following reliefs:-

“To call for entire records in respect of the impugned order passed by the respondents dated 06.12.2013 in No: B-110/KPaneerselvam and quash the same consequently direct the respondents to give compassionate appointment to the applicant”

2. It is submitted that the applicant's father died on 17.01.2013 while working as LSG Supervisor in R.M.S. Postal Department. He was survived by the applicant and her mother. Though the applicant was married, she was dependant on her father as her income otherwise was meagre. She made various representations seeking compassionate appointment as a married daughter is eligible for compassionate appointment. However, the applicant's representation was rejected by an order dated 06.12.2013 precisely on the ground that the applicant was married before the death of her father and she was not wholly dependant on the Government servant. As the ground for rejection was untenable in the light of the standing orders issued under the scheme of compassionate appointment, she made further representations which, however, were not considered. Aggrieved by the inaction of the respondents, she has filed this OA.

3. Learned counsel for the respondents would, however, contest the facts as narrated in the OA. Attention is drawn to Annexure R4 communication from the

Chief Postmaster General addressed to SRM Chennai STG Dn., dated 02.12.2016 in which it was clearly conveyed that the applicant though married, was taking care of her mother. Accordingly, the approval of the competent authority had been obtained for placing her case in the ensuing CRC along with other cases to examine it on merit. It was requested that certain documents such as copy of the property certificate, copy of the income certificate, consent statement from the wife of the deceased official and declaration from the applicant that she was taking care of her mother be sent so as to further process the case. A copy of this letter was also endorsed to the applicant. However, the applicant never produced the said documents for want of which the matter is pending.

4. I have considered the facts as presented in the OA, the reply and the submission by the rival sides. It is clear that the competent authority has not rejected the claim of the applicant for compassionate appointment but only sought certain documents. It is also clear that the competent authority has already taken a view that the applicant was taking care of her mother and, therefore, her request could be placed before the CRC. Under such circumstances I am of the view that this OA could be disposed of with the following direction:

“The applicant shall submit the documents sought from her within a period of one month from the date of receipt of copy of this order. On receipt of such documents, respondents shall

process the applicant's claim for compassionate appointment in accordance with the procedure laid down and convey the outcome through a speaking order within a period of two months thereafter.

5. OA is disposed of with the above directions. MA 310/00100/2018 for condoning delay in representing OA as well as MA 310/00101/2018 for condoning delay in filing the OA stand disposed of in the light of the above order.

(R.Ramanujam)
Member(A)
05.09.2018

AS