

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01675/2015

Dated Monday the 9th day of July Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

A.Senthilkumar,
S/o. Aruchamy,
5/701, Arun Nagar,
Sri Ram Nagar South,
Udumalpet & Taluk,
Tirupur Dist 642126.Applicant

By Advocate M/s. K.K.Senthilvelan

Vs

1.Union of India,
rep by its Secretary,
Ministry of Information & Broadcasting,
Department of Posts, New Delhi.

2.The Chief Postmaster General,
Postal Department,
Tamil Nadu Circle, Chennai.

3.The Postmaster General,
Postal Department,
Western Region, Coimbatore,

4.The Superintendent of Post Offices,
Pollachi Division,
Pollachi 642001.

5.The Circle Relaxation Committee,
Postal Department,
Tamil Nadu Circle, Chennai.Respondents

By Advocate Mr. S. Padmanabhan

ORAL ORDER

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

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

“To call for the records in connection with the Ref no. C.O. Lr. No. REP/47-3/2013 dated 25.08.2015 and in connection with the applicant's claim for compassionate appointment and quash the same and consequently direct the respondents to consider the claim of the applicant for compassionate appointment and appoint him immediately in any Clerical post / post in the respondent department 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. Learned counsel for the applicant would draw attention to the impugned Annexure A7 order dt. 20.05.2013 of the 4th respondent by which the applicant's request for compassionate appointment was turned down for non-availability of Direct Recruit vacancy in the respective cadre under RRR quota and the assessment that the applicant was found non-indigent as per Relative Merit Points under RRR quota. It is submitted that this Tribunal considered a similar case in OA 1676/2015 decided on 16.12.2016 wherein the respondents had been directed to consider the case of the applicant once again by placing it in the next CRC and take an appropriate decision in accordance with the provisions of the compassionate appointment scheme. It is accordingly submitted that the applicant would be satisfied if a similar order is passed in this case.

3. Learned counsel for the respondents would submit that the

applicant had secured only 48 points as against 66 awarded to the last selected candidate in the year 2015 and therefore, the applicant's request could not be considered. However, it is stated in the impugned order itself that all the unrecommended cases of the year 2015 would be placed before the next CRC and examined on merit along with fresh cases received subject to the availability of RRR quota and, therefore, no specific direction is required in this regard.

4. Keeping in view the aforesaid submissions as also the fact that there is no time limit or a ceiling on the number of times a case could be considered, this OA is disposed of with a direction to the respondents to further consider the case of the applicant for subsequent years in terms of Annexure A7 impugned order and inform the applicant of the outcome thereof within a period of three months from the date of receipt of a copy of this order.

5. OA is disposed of with the above direction. No costs.

(R. Ramanujam)
Member(A)
09.07.2018

SKSI