

**Central Administrative Tribunal
Madras Bench**

OA 310/01530/2015

Dated Thursday the 12th day of July Two Thousand Eighteen

P R E S E N T

**Hon'ble Shri. R.Ramanujam, Member(A)
&
Hon'ble Shri. P. Madhavan, Member (J)**

N.G. Saravanan
No. 22/8, Marappalaya Street
Valangaman
Pin – 612 804.

.. Applicant

By Advocate **M/s. R. Malaichamy**

Vs.

1. Union of India
Rep. by the Chief Postmaster General
Tamil Nadu Circle
Anna Salai, Chennai 600 002.

2. Senior Superintendent of Post Offices
Thanjavur Division
Thanjavur – 613 001.

.. 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:-

“i. To call for the records of the 2nd respondent pertaining to his order made in Memo No. B2/6-17/RRR/Dlgs dated 28.06.2012 and set aside the same; consequent to

ii. direct the respondents to appoint the applicant on compassionate grounds on considering his educational qualification; and,

iii. To pass such further orders”

2. Learned counsel for the applicant would submit that the applicant's case for compassionate appointment was considered for the posts of Postman, Postal Assistant and MTS and was rejected on the ground that the applicant could not be awarded sufficient relative merit points to be accommodated within the 5% quota for such posts. However, it is alleged that there are certain posts which are not included in the above three categories to which the applicant was eligible and was not considered. Accordingly, it is submitted that the applicant would be satisfied if the respondents are directed to consider his eligibility for such posts and take an appropriate decision.

3. Learned counsel for the respondents would submit that the applicant has no case against the impugned order passed in respect of the aforesaid three categories and the OA is liable to be dismissed.

4. We have considered the matter. It is not in dispute that the applicant failed to obtain relevant merit points above the cut off in the above three categories and,

therefore, was not entitled to compassionate appointment to any of these posts. However, as it is alleged by the applicant that there are posts not included in the three categories with eligibility requirements that are met by the applicant in terms of his educational qualification, age, etc, it is for the applicant to make a representation in this regard and for the respondents to consider the same. Accordingly, liberty is granted to the applicant to file a representation to the competent authority specifically mentioning such posts within a period of two weeks from the date of receipt of copy of this order. On receipt of such representation, the respondents shall consider the same in accordance with the compassionate appointment scheme and pass a speaking order within a period of three months thereafter.

5. OA is disposed of with the above directions.

(P. Madhavan)
Member (J)
AS

12.07.2018

(R.Ramanujam)
Member(A)