

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

**MA/310/00111/2018
&
OA/310/00236/2018**

Dated Tuesday the 20th day of February Two Thousand Eighteen

PRESENT

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

K.Premjothi,
No. 14, Selva Vinayagar Koil Street,
Magazinpuram,
Vyasarpadi,
Chennai 600039.Applicant

By Advocate M/s. A. Sumathy

Vs

- 1.The Director General,
The Director General of Lighthouse and Lightships,
“Deep Bhavan”,
A-13, Sector 24,
Gautam Budh Nagar,
Noida 201301.
- 2.Government of India,
Ministry of Shipping,
Directorate of Lighthouses and Lightships,
Deep Bhavan, 5/20, Jaffar Syrang Street,
Chennai 600001.Respondents

By Advocate Mr. K. Rajendran

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 reliefs:

“i. To call for the record of the 1st respondent pertaining to their order No. No. 27/8/2014- Admin dated 22.09.2015 and set aside the same consequently to,

ii. Direct the respondents herein to appoint, to call for the records of the 1st respondent pertaining to their order no. 27/8/2014 – Admin dated 22.09.2015 and set aside the same. Direct the respondents herein to consider the applicant for suitable post in any of your Directorate on compassionate ground since the applicant's father died in service while returning from office to residence.

iii. To pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.”

2. This being a case of compassionate appointment, delay is condoned keeping in view the fact that as per DoPT instructions, there is no time limit, to be considered for compassionate appointment.

3. Mr. K. Rajendran takes notice for the respondents.

4. Learned counsel for the applicant submits that the applicant is aggrieved by the impugned communication dated 22.09.2015 by which his request for compassionate appointment was reported to have been rejected. It is alleged that other persons similarly placed and in similar financial conditions had been accommodated.

5. On perusal, it is seen that the impugned order was passed more than 28 months ago and there is no explanation why the applicant had not acted thereon within a reasonable time. Nevertheless, the

communication is seen to be non-speaking and as such, it is not clear how the applicant's financial condition was assessed by the committee, the relative merit points scored by the applicant, relative merit points of the last selected candidate in the relevant year, etc.

6. It is also prayed on behalf of the applicant that the respondents may be directed to consider his case for the subsequent years in accordance with the scheme of compassionate appointment. The respondents may also be directed to further inform the applicant of the outcome of his claim in the year 2016 and 2017 if the same was placed before the committee and if not, the reasons therefor.

7. In the aforesaid facts and circumstances of the case, I am of the view that the ends of justice would be met in this case if the respondents are directed to inform the applicant of the reasons for rejection of his claim for compassionate appointment in 2015 by a speaking order within a period of 6 weeks from the date of receipt of a copy of this order. The applicant shall also be informed similarly about the fate of his claim in 2016 and 2017.

8. OA is disposed of with the above directions at the admission stage. MA for condonation of delay also stands disposed of.

**(R. Ramanujam)
Member(A)
20.02.2018**

SKSI