

**Central Administrative Tribunal
Madras Bench**

OA/310/00944/2017

Dated Thursday the 23rd day of August Two Thousand Eighteen

P R E S E N T

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

V. Manimozhi
No. 32, Veerasamy Main Road
Ayanavaram
Chennai – 600 023.

.. Applicant

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

Vs.

1. Union of India
Represented by the Secretary
Ministry of Communications & IT
Department of Posts
Dak Bhavan, Sansad Marg
New Delhi – 110 011.

2. The Chief Postmaster General
Tamil Nadu Circle
Anna Salai
Chennai – 600 002.

3. Superintendent
Railway Mail Service
Chennai Sorting Division
Chennai – 600 008.

4. Head Record Officer
Chennai Sorting Division
Chennai – 600 008.

.. Respondents

By Advocate **Dr. G. Krishnamurthy**

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 3rd respondent pertaining to his order which is made in 1) B-110/misc dated 25.05.2017 and the order of 2nd respondent which is made in 2) No. REP/31-RRR/2016 dated 30.05.2017 and set aside the same; consequent to

ii. Direct the respondents to appoint the applicant on compassionate grounds in any one of the Posts, on considering his educational qualification and technical qualification with all attendant benefits; and

iii. To pass such further orders”

2. It is submitted that the applicant's request for compassionate appointment had been turned down by Annexure A9 and A11 impugned orders on the ground that the applicant's father had not been regularised in service before his death and he died as a Temporary status casual labourer. Learned counsel for the applicant seeks to rely on the order passed by this Tribunal in OA 1994/2014 dated 23.04.2018 and submits that since the applicant is identically placed, a similar order may be passed in this case.

3. Learned counsel for the respondents does not dispute the similarity of the two cases. However, he would submit that a time limit of two months to consider the case of the applicant would be too short as the applicant's mother had also filed a separate OA before this Tribunal seeking pension and in the event of the Tribunal granting the relief, she would be given family pension which income

would have to be reckoned while making an assessment of the indigence of the family. Accordingly he would seek a longer time limit for passing order with regard to the request for compassionate appointment.

4. In view of the admitted similarity of facts to the ones in OA 1994/2014 cited supra, the impugned orders dated 25.05.2017 and 30.05.2017 are set aside. The competent authority is directed to consider the applicant for appointment on compassionate grounds in terms of the relevant scheme after a due assessment of the financial condition of the family as on the date of application by the applicant for compassionate appointment and pass a reasoned and speaking order within a period of four months from the date of receipt of copy of this order.

5. OA is disposed of with the above directions.

(R.Ramanujam)
Member(A)
23.08.2018

AS