

**Central Administrative Tribunal
Madras Bench**

OA/310/01305/2018

Dated Wednesday the 3rd day of October Two Thousand Eighteen

P R E S E N T

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

M. Prabhu
No. 3/105, Paluvur Village
Bikshandar Koil
Tiruchirappalli – 621 216. .. Applicant

By Advocate **M/s. P. Rajendran**

Vs.

1. The Union of India represented by
The Chief Postmaster General
Tamil Nadu Circle, Chennai 600 002
2. The Senior Superintendent of Post Offices
RMS 'T' Division, Tiruchirapalli – 620 001. .. Respondents

By Advocate **Mr. Su. Srinivasan**

ORAL ORDER

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

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

“To call for the records relating to the impugned order of the second respondent in Memo No. B1/Staff I/OA No. 1421/2017 dated at Tiruchy 620 001 the 03.05.2018 and quash the same and direct the respondents to appoint the applicant on compassionate grounds in any suitable job commensurate with his qualification and grant him all consequential benefits.”

2. It is submitted that the applicant is aggrieved by the Annexure A5 order dated 07.05.2018 issued in pursuance of the order of this Tribunal in OA 1421/2017 dated 03.01.2018, by which the applicant request for compassionate appointment was rejected. It is submitted that the applicant's father P.A. Murugesan who was working as a Sorting Assistant expired while in service on 10.06.2008 leaving behind his wife, two sons and a daughter. The applicant is the younger son of the deceased government employee who submitted an application dated 25.09.2008 requesting for appointment on compassionate grounds. The applicant's request was rejected in 2012 and again in 2015 stating that the Circle relaxation Committee did not recommend his case on the ground that the applicant was not found to be indigent in terms of the Relative Merit Points (RMP) and due to non availability of 5% direct recruitment vacancies to accommodate the applicant.
3. The applicant challenged the above order in OA 1421/2017 which was

disposed of on 03.01.2018 directing the respondents to inform the applicant of the details including the number of posts under RRR quota considered and the relative merit points obtained by the last selected candidate. Respondents were also directed to give details of the assessment made under different criteria while arriving at the RMP below the cut off in respect of the applicant.

4. Learned counsel for the applicant would submit that the Circle Relaxation Committee ought to have considered the case of the applicant in terms of the scheme that was prevailing in the year 2008 and not under the RMP system which was a subsequent development. Had the applicant been considered at the relevant time for appointment, he would have been considered favourably, it is alleged. There was no RMP system then and the authorities would have gone only by the fact of the applicant's bereavement and the difficult situation of the family, it is contended.

5. Mr. Su. Srinivasan, Senior Central Govt. Standing Counsel takes notice for the respondents and submits that the RMP system under which the relative merits of the candidates are assessed is not a new system but only a methodology evolved following the directions of the Hon'ble Supreme Court so as to make consideration of the cases objective and transparent. He would further submit that under such system the applicant had been awarded only 39 points out of 100, whereas the merit points scored by the last selected candidate in the Postman cadre was 73 and under the MTS cadre was 85 in the year 2015. In the postman cadre there were 195 candidates with relative merit points of 40-73 and two candidates including the applicant had been awarded 39 RMPs. In MTS, there

were 216 candidates with RMP of 40 to 85. It is submitted that even assuming hypothetically that the applicant could have been assessed more liberally under one or two criteria, there is no way that the applicant could reach any where near the score of the last selected candidate in either category.

6. We have considered the facts of the case and gone through the impugned order which brings out the merit points awarded to the applicant under various categories. We are inclined to agree with the learned counsel for the respondents that with the applicant having scored far below the cut off both in the categories of Postman and MTS, a direction to reconsider his case would serve no purpose. We are also inclined to agree with the statement that the relative merit points system is not a new scheme but only a methodology under the existing scheme to make the assessment objective and transparent. As such, we see no merit in the OA.

7. OA is misconceived and is accordingly dismissed. No costs.

(P. Madhavan)
Member (J)
AS

03.10.2018

(R.Ramanujam)
Member(A)