

**Central Administrative Tribunal
Madras Bench**

MA/310/00028/2018 (in)(&) OA/310/00066/2018

Dated Monday the 22nd day of January Two Thousand Eighteen

P R E S E N T

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

H.Thippu Sulthan,
Hyder Ali Batcha,
32/3, Shri Nagar,
4th Cross Balakrishnapuram,
Balakrishnapurampudur,
Dindigul 624005.

.. Applicant

By Advocate **M/s.K.Thilageswaran**

Vs.

1. ThePrincipal Chief Commissioner of Income Tax,
Chennai & Puducherry,
121, Mahatma Gandhi Road,
Nungambakkam, Chennai-34.
2. The Deputy Commissioner of Income Tax,
O/o the Principal Chief Commissioner of Income Tax,
Aayakar Bhavan, 121,
Mahatma Gandhi Road,
Chennai-34.

.. Respondents

By Advocate **Mr.M.T.Arunan**

ORAL ORDER

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

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

“To call for the records connected to the impugned order passed by the 2nd respondent in C.No.26(2)/Estt/Comp/2014(7) dated 21.4.2015 and quash the same consequently direct the respondents to provide compassionate appointment to the applicant and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper to the facts and circumstances of the case and thus render justice.”

2. Heard. Learned counsel for the applicant submits that the applicant's request for compassionate appointment had been rejected by Annexure A20 communication dated 21.4.2015 to the effect that the request had been duly considered and the Recommendation Committee for appointment under compassionate grounds, after careful consideration of the facts and circumstances of the case, found that the applicant did not meet the prescribed conditions laid down for appointment on compassionate grounds. It is pointed out that the precise ground on which the applicant's case was not found fit for compassionate appointment had not been disclosed. Accordingly, the applicant would be satisfied if the competent authority is directed to disclose the manner in which the applicant's request for compassionate appointment had been considered and the precise grounds and the facts and circumstances that were found not to meet the prescribed conditions laid down for compassionate appointment in the case of applicant.

3. Mr.M.T.Arunan appears and takes notice for the respondents and submits that if time is granted a detailed reply would be filed.
4. Be that as it may, keeping in view the limited prayer, the MA for condonation of delay of 624 days in filing the OA is allowed and delay is condoned. The respondents are directed to inform the applicant of the precise grounds and the facts and circumstances which led the competent authority to conclude that the applicant did not meet the prescribed conditions laid down for appointment on compassionate ground within a period of two months from the date of receipt of a copy of this order.
5. OA is disposed of at the admission stage with the above direction.

(R.Ramanujam)
Member(A)
22.01.2018

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