

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Tuesday 18th day of December Two Thousand And Eighteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A. 310/1586/2016

A.P. Sridhar,
S/o Late A.P. Panneer,
Aged 31 years,
Residing at Alinijikuppam Village,
Rajakkal BO,
Mailpatti SO- 635 805,
Vellore District.

....Applicant

(By Advocate: Mr. P. Rajendran)

Versus

1. The Union of India Rep. by
The Chief Postmaster General,
Tamil Nadu Circle, Chennai- 600 002;
2. The Superintendent of Post Offices,
Tirupattur Division, Tirupattur- 635 601.

...Respondents

(By Advocate: Mr. K. Ramasamy)

ORAL ORDER

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

Heard. Applicant has filed this O.A. seeking the following relief:-

“To call for the records relating to the impugned order of the first respondent in REP/33-6/2004 dated at Chennai- 600 002 the 31.08.2016 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 and render justice.”

2. It is submitted that the applicant filed O.A. 834/2012 seeking compassionate appointment which was disposed of by a common order of this Tribunal dated 25.02.2014 in which it was observed that the respondents ought to give priority to the cases considering that the applicants had been working for several years in leave vacancies etc and this would have given them a legitimate expectation that they would be absorbed on a regular basis and the respondents were directed to take necessary action. However, the applicant's case was rejected by Annexure-A/2, impugned order dated 31.08.2016, in which it was stated that the Relative Merit Points (RMP) awarded to the applicant was 60 whereas in the Circle Relaxation Committee (CRC) held in 2015, the RMP of the last selected candidate in the cadre of Postal Assistant, Postman and MTS were 66, 73 and 85 respectively. Accordingly, the applicant's case was not recommended by the CRC as he was not sufficiently indigent as also for want of 5% vacancies. It is alleged that the applicant had not been granted any priority whatsoever and, as such, the communication had been issued in violation of the directions of the Tribunal.

3. Learned counsel for the respondents submit that applicant's case was considered strictly in accordance with the scheme and since he could not secure the minimum cut off points under various categories, he could not be granted compassionate appointment.

4. I have considered the matter. As the merits of the applicant's case had already been examined in the common order of this Tribunal dated 25.2.2014 which covered the applicant's O.A. 834/2012, the matter cannot be revisited in this O.A. However, there is no evidence of any priority having been given by the respondents in accordance with the directions of this Tribunal. Equally, while the Tribunal observed that the applicant had to be given priority, it had not been made clear as to how much priority was to be given. Accordingly, it is entirely for the respondents to grant some merit points to the applicant for working against leave vacancy and for having obtained a favourable order from this Tribunal.

5. In view of the above, the respondents are directed to reconsider the matter regarding the applicant and take a decision on the weightage in merit points to be assigned for persons such as the applicant in the light of the directions of this Tribunal and reassess his eligibility accordingly. A reasoned and speaking order shall be passed in this regard within a period of three months from the date of receipt of copy of this order.

6. OA is disposed of as above. No costs.

(R. RAMANUJAM)
MEMBER (A)

Asvs.

18.12.2018