

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00681/2018 in & OA/310/00808/2016

Dated Monday the 28th day of January Two Thousand Nineteen

**CORAM : HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

M.Nagaraj,
S/o. Late N. Murugesan (S.A.S.R.O, Salem),
Old No. 379, New No. 325, Pugalenthhi Street,
Old Suramangalam,
Salem 636005.

....Applicant/Applicant

By Advocate M/s. A. Ayyathurai

Vs

1. Union of India
Rep. by the Director (Staff)
Ministry of Communications and IT
Department of Posts
Dak Bhavan, Parliament Street
New Delhi 110 001.

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

3. The Postmaster General
Western Region (TN)
Coimbatore 641 002.

4. The Superintendent
RMS CB Division
Coimbatore 641 001.

5. The Sub-Record Officer
RMS CB Division
Salem 636 005.Respondents/Respondents

By Advocate Mr. K. Rajendran

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

Heard. MA for restoration of OA is allowed for the reasons recorded therein.

2. The applicant has filed this OA seeking the following reliefs :

"1. Direct the respondents to appoint the applicant on compassionate grounds as a driver or in any one of the posts considering his educational qualification with all attendant benefits, and

2. To pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case."

3. It is submitted that the applicant's father died on 15.03.2008 while in service as Sorting Assistant in 5th respondent office. He was survived by his wife, four daughters and the applicant. The applicant's mother also died on 22.07.2014. The applicant being the eldest son sought compassionate appointment by a representation dt. 05.02.2015 and the matter is still pending. Accordingly, it is urged that the competent authority be directed to consider his application and pass appropriate orders.

4. The respondents have filed a reply stating that a new merit point system had been introduced by an order dt. 20.01.2010 issued by the Postal Directorate and the applicant's case would be considered in accordance therewith.

5. Learned counsel for the applicant would draw attention to para 4.12 of the reply wherein it is stated that the applicant did not possess the requisite qualification for the post of Group-D/Driver as he possessed only a pass in the 8th standard whereas the minimum qualification was matriculation. However, his

case would be examined in the ensuing CRC for the post of MTS/Driver by relaxing educational qualification by the competent authority.

6. We have considered the matter. Admittedly the applicant had sought compassionate appointment only in the year 2015 and the respondents have offered to consider his case in terms of the merit point system introduced in the year 2010. Clearly, the matter had not been considered by the CRC and as such, it is premature for this Tribunal to interfere in the matter.

7. In view of the above, OA is dismissed as premature. Respondents are directed to take a decision on the representation of the applicant after placing the matter before the Circle Relaxation Committee. A reasoned and speaking order shall be passed regarding the applicant's claim in the light of the recommendations of the committee within a period of three months from the date of receipt of a copy of this order.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

28.01.2019

SKSI