

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**O.A.No.1378/2017**

**Dated Tuesday, the 22<sup>nd</sup> day of January, 2019**

**PRESENT**

**Hon'ble Mr.R.Ramanujam, Administrative Member**

M. Vasanthi

No. 6/13, North Street

Edamalaipattipudur

Trichy – 12.

**...Applicant**

By Advocate M/s Ratio Legis

Vs.

1.1. Union of India rep. by

The General Manager

Southern Railway

Park Town, Chennai.

2. The Divisional Personnel Officer

Tiruchchirappalli Division

Southern Railway

Trichy.

**...Respondents**

By Advocate Mr. A. Abdul Ajees

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

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for the records related to impugned order No. T/PC-85/4192 dated 17.11.2016 made by the 2<sup>nd</sup> respondent and to quash the same and further to direct the respondents to appoint the applicant's married daughter on compassionate ground in terms of the mandatory provisions and to pass such other order/orders.”

2. It is submitted that the applicant is the widow of one late R.Mohanraj who died in harness on 22.10.2014. She requested for compassionate appointment to her married daughter M.Malini which was rejected by the respondents by Annexure A-2 communication dated 17.11.2016. The grievance of the applicant is that her request for compassionate appointment for her married daughter had been rejected without a detailed examination of the merits of the case only on the ground that the applicant's daughter was fully independent for all her needs. It is contended that the applicant is a member of the residual family of the deceased employee and the rules provide for nominating even a married daughter for compassionate appointment, if such married daughter is capable of supporting the family in distress. The rejection of the representation was without due application of mind and is accordingly liable to be set aside, it is contended.

3. The respondents refute the allegation that the applicant's request had been rejected on the basis of the marital status of her daughter. It is submitted that on due examination, it had been found to be that the applicant's daughter was fully independent and was capable of taking care of herself and her family. As far as the residual family of the deceased employee is concerned, the applicant is the only member left of the family who is also capable of supporting herself from the settlement benefits granted to her as also the monthly family pension being paid to the applicant. It is submitted that the applicant received a sum of Rs.12,26,543/- as settlement benefits and was in receipt of Rs.6940+relief per month under the 6<sup>th</sup> CPC pay scales. Presently, the applicant is in receipt of a monthly family pension of Rs.17835/- which was adequate to support herself financially.

4. I have considered the facts of the case. As it is not in dispute that the applicant's married daughter is independent and the applicant herself is in receipt of a reasonable family pension to take care of herself and as there is no other surviving member of the family of the deceased employee, I am not inclined to interfere with the impugned order dated 17.11.2016. OA is dismissed as devoid of merits.

**(R.RAMANUJAM)  
MEMBER (A)  
22.01.2019**

M.T.