

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01533/2018

Dated Wednesday the 14th day of November Two Thousand Eighteen

PRESENT

HON'BLE MR. P. MADHAVAN, Member (J)

&

HON'BLE MR. T. JACOB, Member (A)

P.Vinothraj,
S/o. Late A. Pichandi,
No. 11, 3rd Cross,
Sainathapuram,
Vellore 632001.

....Applicant

By Advocate M/s. R. Malaichamy

Vs

Union of India,
rep by the Additional Commissioner &
Regional Director,
Employees' State Insurance Corporation,
No. 143, Sterling Road,
Chennai 600034.

....Respondent

ORAL ORDER

(Pronounced by Hon'ble Mr. P. Madhavan, Member(J))

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

"1. To call for the records of the respondent pertaining to his order which is made in No. 51-A-12-12 (SPS)-2016-Admn, dated 12.09.2018 and set aside the same, consequent to,

2. Direct the respondent to appoint the applicant on compassionate grounds to any one of the post on considering his educational qualification and

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

2. It is submitted that the applicant's father was working as Social Security Officer in the respondents Corporation and he died on 12.05.2016. The applicant's mother is a diabetic patient and suffering from kidney problem. The entire service benefits of the deceased employee had to be spent for the treatment of the mother and clearing of the debts. As such, the family is in penury condition. The applicant's mother had made a representation on 20.06.2016 for appointment of the applicant on compassionate grounds but the respondents had rejected the representation as per Annexure A4 communication dt. 12.09.2018 by a non-speaking order without stating the reasons for rejection. Accordingly, learned counsel for the applicant would submit that the applicant would be satisfied if the respondent is directed to pass a reasoned and speaking order regarding the circumstances in which Annexure A4 impugned order was passed rejecting the representation dt. 20.06.2016.

3. In view of the limited relief sought, the OA is disposed of at the admission stage with the following direction :-

“The respondents are directed to reconsider the representation dt. 20.06.2016 in accordance with law and pass a reasoned and speaking order on the basis of relevant OMs and circulars issued by DoPT and the Corporation within a period of three months from the date of receipt of a copy of this order.”

4. OA is disposed of at the admission stage without going into the merits of the case.

(T.Jacob)
Member(A)

(P. Madhavan)
Member(J)

14.11.2018

SKSI