

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

OA.No.909/2017

Dated Tuesday, the 23rd day of April, 2019

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

R.Sudha,
D/o.G.Rathina Kumar,
No.57, Muniyappa Chetty Street,
Perambur, Chennai 600 011.

... Applicant

By Advocate M/s.T.S.N.Prabhakaran

Vs

1. The Chief General Manager,
Chennai Telephones District,
Office of CGM, No.10, Millers Road,
Chennai 600 010.

2.The Assistant General Manager (Estt),
BSNL Chennai Telephones,
No.10, Millers Road, Chennai 600 010

.. Respondents

By Advocate Ms.K.Parameshwari

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 records pertaining to the order dated 13.06.2016 in proceedings No.Lr.No.ASR/CGA/CHTD/1525/2013/3 and quash the same, consequently, direct the respondents 1 and 2 herein, to give employment to the applicant on compassionate grounds and thus render justice.”

2. The applicant is aggrieved that she had not been granted compassionate appointment following the death of her father G.Rathina Kumar who was an employee of the respondents. She was informed by Annexure A-13 communication dated 13.06.2016 that the Circle High Power Committee for the year 2015 could not recommend her case as she was “less indigent” as per relative weightage points. Keeping in view the assets/liabilities of the family, on an overall assessment, the Circle High Power Committee had not found the condition of the family to be such that the applicant had to be granted compassionate appointment.

3. Learned counsel for the applicant would submit that the applicant's father died in harness on 17.06.2012. The applicant

who is a M.Sc., M.Phil., is unemployed and living below poverty line. The second respondent has rejected her claim without any basis or material.

4. Learned counsel for the respondents would, however, submit that the applicant's case was considered objectively as per the relative weightage points scheme. She would produce a copy of the detailed assessment made in the case of the applicant showing the applicant to have secured 32 weightage points as against the minimum of 55 required for the Circle High Power Committee to recommend a case for compassionate appointment.

5. A copy of the detailed assessment was handed over to the counsel for the applicant who was given time to go through the same and raise objections regarding under-assessment or omission if any in the assessment. The matter was accordingly passed over and taken up after two hours.

6. When the matter is taken up again, learned counsel for the applicant would submit that based on the material available with him, he was unable to find fault with the assessment made by the Committee.

7. As the minimum cut off required for appointment on

compassionate grounds is 55 and the applicant has secured relative weightage points way below the cut off, there is no scope for the Tribunal to interfere. OA is dismissed. No costs.

(R.RAMANUJAM)
MEMBER (A)
23.04.2019

M.T.