

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE T.MATHIVANAN

W.P.No.19593 of 2015

Jansi Jothi Vatsala Bai

...Petitioner

-Vs-

1.Union of India
rep. By The General Manager
Southern Railway
Park Town, Chennai-600 003

2.The Chief Personnel Officer
Southern Railway
Park Town, Chennai-600 003

3.The Senior Divisional Personnel Officer
Palghat Division, Southern Railway
Palghat, Kerala

4.The Registrar
The Central Administrative Tribunal
Madras Bench, Chennai-600 104

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus calling for the records relating to the impugned order issued by the 4th respondent in Miscellaneous Application No.895 of 2014 in unnumbered Original Application dated 01.04.2015, to quash the same and further direct the 4th respondent to condone the delay of 554 days and consequently number the Original Application and to take the same on file to decide the original Application on merits.

For petitioner : Mr.A.Abdul Ajeez

O R D E R

(Order of the Court was made by V.RAMASUBRAMANIAN, J.)

The petitioner has come up with the above writ petition challenging the refusal of the Central Administrative Tribunal to condone the delay in filing an application seeking compassionate appointment.

2. Heard Mr.A.Abdul Ajeez, learned counsel for the petitioner.

3. The petitioner's husband died in harness on 10.07.1997. He was employed at that time in Podhanur. When the petitioner made a representation for compassionate appointment, she was offered appointment in Palghat Division. But she wanted a posting in or around Arakkonam. But the said request was turned down.

4. The petitioner again made a request. When she was offered a job for a second time, she expressed inability to take up the job in the year 2002. But she wanted her son's case to be considered for appointment. But the request was again turned down.

5. Challenging the order of rejection, the petitioner came up with an application with a delay of 554 days. The Tribunal refused to condone the delay.

6. In our opinion, the Tribunal was right. The petitioner has turned down the offer that was made twice, first in 1997 and then in 2002. The very purpose of appointment on compassionate ground has been defeated by the petitioner by her own conduct. Therefore, she does not deserve any indulgence. Hence dismissal of her application is just and proper. Therefore, we dismiss the Writ Petition too. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

nvsri

To

1.The General Manager, Southern Railway
Park Town, Chennai-600 003

2.The Chief Personnel Officer
Southern Railway
Park Town, Chennai-600 003

3.The Senior Divisional Personnel Officer
Palghat Division, Southern Railway
Palghat, Kerala.

4.The Registrar
The Central Administrative Tribunal
Madras Bench, Chennai-600 104.

1 cc to Mr.R.Pandian , Advocate Sr.No.33711
1 cc to Mr.P.T.Ram Kumar , Advocate Sr.No.33283

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rsi(co)
pmk.15.7.2015



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