

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.11877 of 2017

1. Union of India rep.by
the Chief Post Master General
Tamil Nadu Circle
Anna Salai
Chennai 600 002

2. The Superintendent of RMS
Chennai Sorting Division
Chennai 600 008

... Petitioners

-vs-

1. V.Sivagami

2. The Central Administrative Tribunal
rep.by its Registrar
Madras Bench
Chennai 600 104

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the records of second respondent and quash the order dated 05.04.2016 in O.A.No.310/00448/2015 as the same is unsustainable.

For Petitioners

::

Mr.V.P.Sengottuvel
Senior Central Government
Standing Counsel

For Respondents

::

Mr.R.Malaichamy for R1
R2-Tribunal

ORDER

(Order of the Court was delivered by G.JAYACHANDRAN, J.)

The petitioners have filed the writ petition seeking issuance of a Writ of Certiorari, calling for the records of second respondent and quash the order dated 5.4.2016 in O.A.No.310/00448/2015.

2. Heard the learned Senior Central Government Standing Counsel for the petitioners and the learned counsel for the first respondent.

3. The learned Senior Central Government Standing Counsel for the petitioners submitted that the Tribunal has erred in directing the petitioners to consider the candidature of the first respondent herein for compassionate appointment as per the scheme of the year 1999. Since, due to the order of the Supreme Court, the old scheme has already been scrapped and a new scheme for accommodating the wards of employees died in harness has come into force, that portion of the direction of the Tribunal may be expunged.

4. As submitted by the learned Senior Central Government Standing Counsel for the petitioners, it is not pragmatic for the authorities to implement the old scheme which has been given up as per the direction of the Supreme Court and after formulation of the new scheme. Therefore, expunging that portion of the direction of the Tribunal, we direct the petitioners to consider the case of the first respondent for compassionate appointment under the new

scheme taking note of her long standing request for compassionate appointment even as early as on 31.8.2000. With this direction, the writ petition stands disposed of. Consequently, W.M.P.No.12800 of 2017 is closed. No costs.

Index : yes/no

(H.G.R.,J.) (G.J.,J.)
18.08.2017

ss

To

1. The Registrar
Central Administrative Tribunal
Madras Bench
Chennai 600 104
2. The Chief Post Master General
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HULUVADI G.RAMESH, J.
AND
G.JAYACHANDRAN, J.

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