

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.11839 of 2018
and W.M.P.No.13818 of 2018

- 1.Union of India, rep.by
the Chief General Manager/BSNL
78, Purasawalkam High Road,
Chennai-600 010.
- 2.The General Manager,
Bharat Sanchar Nigam Limited,
89, Millers Road, Chennai-600 010. Petitioners

-vs-

- 1.Anto Suhilan
- 2.The Registrar,
Central Administrative Tribunal,
Chennai Bench,
High Court Building, Chennai-600 104. Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari to call for the records on the file of the second respondent in O.A.No.356/2018 and quash the order dated 14.03.2018 in O.A.No.356 of 2018 and order dated 14.03.2018 in M.A.No.144 of 2018 passed by the second respondent.

For Petitioners :: Ms.K.Parameshwari

For Respondents :: Mr.L.Chandrakumar for R1

R2 :: Tribunal

ORDER

(Made by HULUVADI G.RAMESH, J.)

The first respondent herein filed an application before the Central Administrative Tribunal, Chennai Bench, in O.A.No.356 of 2018 praying for a direction to the petitioners herein to pay arrears of family pension and salary from the year 2008 and also

the Provident Fund, Gratuity and all other benefits to which his father is entitled to, along with interest, within a time frame.

2.The matter relates to compassionate appointment. When this application was taken up by the Tribunal, the learned counsel for the first respondent herein submitted before the Tribunal that the first respondent is aggrieved by the rejection of his request for compassionate appointment. It was put forth before the Tribunal that the first respondent would be satisfied if the authorities are directed to pass a reasoned and speaking order on the claim of the first respondent for compassionate appointment.

3.Keeping in view the limited prayer, the said Original Application was disposed of with a direction to disclose the information as required, by order dated 14.03.2018. Challenging the said order, the present writ petition has been filed by the Department.

4.The learned counsel for the petitioners-Department has submitted that the rejection order rejecting compassionate appointment to the first respondent was passed strictly following the rules of the Scheme in vogue and on coming to the conclusion that the family of the first respondent is not in penury, as per the policy guidelines. Stating so, the learned counsel for the petitioners has sought for quashing the impugned order passed by the Tribunal.

5.Heard the learned counsel for the first respondent on the submissions made by the learned counsel for the petitioners.

6.On a perusal of the impugned order, we find that the Tribunal has passed the order only to disclose information to the first respondent as regards the manner in which his request was processed, relative merit points secured, number of posts available for compassionate appointment etc. Finally, a direction was given only to pass a speaking order and not otherwise. The said direction would not in any way prejudice the rights of the petitioners, since no positive direction has been issued.

7.In such view of the matter, the writ petition stands dismissed. No costs. Consequently the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

KM

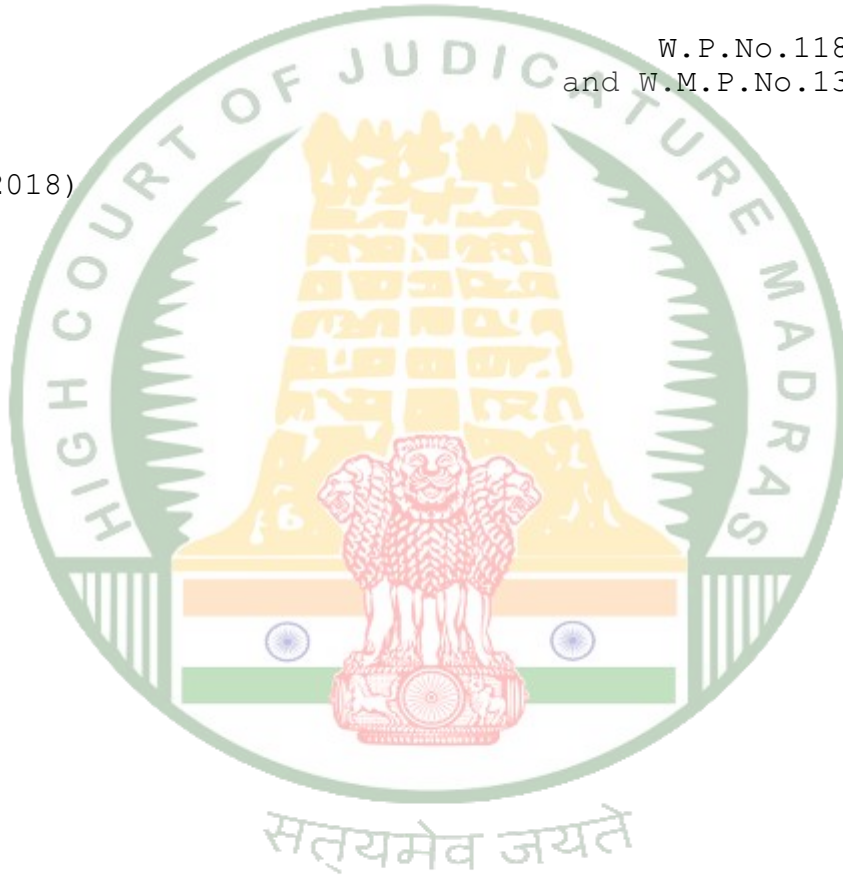
To

The Registrar,
Central Administrative Tribunal,
Chennai Bench,
High Court Building,
Chennai-600 104.

+1cc to Mr.L.CHANDRAKUMAR, Advocate, S.R.No.47152

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BR(CO)
TR(02/08/2018)



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