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W.P.No.8192 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2025

CORAM:

**THE HON'BLE MR.JUSTICE M.S.RAMESH
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

W.P.No.8192 of 2025

A.Lakshmi Amma

...Petitioner

Vs

1. Central Administrative Tribunal,
Chennai Bench,
Chennai-600 104,
Rep. by its Registrar.

2. Union of India,
Rep. by the Chief Personal Officer,
Southern Railway,
Park Town, Chennai-600 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the 1st respondent relating to the order dated 03.03.2023 in O.A.No.394/2020, to quash the same and to issue consequential directions to the 2nd respondent to give appointment to the petitioner's daughter, P.Kumari, on compassionate grounds, consequent on the death of her father, A.Pappaih, who expired on 14.12.2015 while serving as technician, Grade I, in the carriage works, Southern Railway, Perambur, Chennai.



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For Petitioner : Mr.Balan Haridass
for Mr.J.Muthukumaran

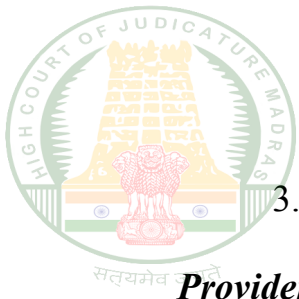
For 2nd Respondent : Mr.S.Diwakar, SPC

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

When the petitioner herein/widow of late A.Pappiah, who died in harness when working as Technician Grade-I on 14.12.2025, sought for compassionate appointment in favour of her married daughter Mrs.P.Kumari, her request was rejected through the order dated 04.03.2020 on the sole ground that the widow had received Rs.10,00,000/- towards settlement dues, apart from receiving the family pension and that there are no other dependents left to be taken care of.

2. It is not in dispute that a married daughter of a Railway employee would be entitled to seek for compassionate appointment, subject to the terms and conditions of the scheme of compassionate appointment. The reason assigned in the rejection order, which was impugned before the Central Administrative Tribunal, was that the death-cum-retirement benefits of the late employee was received by the petitioner/widow and that she is also in receipt of the family pension, thereby indicating that she would be in a position to take care of herself.



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3. In a recent decision of this Bench in the case of ***The Regional Provident Fund Commissioner-I, Coimbatore and Others Vs. S.Veni and Others*** passed in ***W.P.No.33405 of 2022, dated 04.03.2025***, we had dealt with a similar reason, in the following manner:-

“13. Likewise, if the submission of the petitioners that the DCRG benefits has upraised the financial status of the family, such a stand would disqualify all the legal heirs of a deceased employee to seek for compassionate appointment, since DCRG benefits are being paid to every family, which has lost the breadwinner and thereby, the very object of compassionate appointment would stand defeated.”

4. The other reason assigned in the letter dated 04.03.2020 was that there is no other dependent member of the late employee to be taken care of and since the petitioner's daughter was married, her request for compassionate appointment was rejected. In the application made by the petitioner seeking for compassionate appointment in favour of her daughter, she had specifically stated that death-cum-retirement benefits was utilized by her for clearing all the debts incurred by her during the lifetime of her late husband. It was also the petitioner's case that her daughter's husband was only a coolie and if compassionate appointment is extended to her, she would also take care of the petitioner. These aspects have been totally



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disregarded by the respondents herein while rejecting her application seeking for compassionate appointment.

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5. When the rejection order was challenged before the Central Administrative Tribunal, the same reasons assigned in the impugned order were reiterated, without going into the grounds raised by the petitioner in her application seeking for her daughter's appointment.

6. We are of the considered view that since the petitioner claims that all the retirement benefits have been utilized for settling her family debts and she being 58 years old, has sought for appointment for her married daughter with a fond hope that her daughter would take care of her also, since the meagre pension amount would not be sufficient to meet out her livelihood. In this background, we do not approve the reasoning assigned by the Tribunal in the order impugned before us.

7. In the light of the above observations, the impugned order dated 03.03.2023 passed in O.A.No.394 of 2020, is set aside. Consequently, there shall be a direction to the 2nd respondent herein to forthwith pass appropriate orders of appointment in favour of the petitioner's daughter, namely, Mrs.P.Kumari on compassionate grounds, atleast within a period of one



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month from the date of receipt of a copy of this order. The Writ Petition stands thus allowed. No costs.

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(M.S.R.,J.) (N.S.,J.)
23.04.2025

Index: Yes/No
Neutral Citation: Yes/No
Speaking order/Non-speaking order
hvk

To

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

2.Union of India,
Rep. by the Chief Personal Officer,
Southern Railway,
Park Town, Chennai-600 003.



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