



WEB COPY

WP No. 36168 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON :	18.02.2026
PRONOUNCED ON :	06.03.2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

WP No. 36168 of 2024

and

W.M.P.No.39053 of 2024

1. Union of India
Rep.by the Chief Postmaster General,
Tamil Nadu Circle, Anna Salai,
Chennai-600 002.
2. The Postmaster General,
Chennai City Region, Chennai-600 002.
3. The Senior Superintendent of Post officers,
Chennai City Central Division,
Chennai-600 017.

..Petitioner(s)

Vs

1. T Shanthi
W/o.Late R.Thirugnanamani, Worked As
Postman, No. 22/46, Jayalakshmi Puram 4th
Street, Nungambakkam, Chennai -600 034.
2. R T Ganeshkumar,
S/o.Late R.Thirugnanamani, No.22/46,
JayalakshmiPuram 4th Street, Nungabakkam
Chennai -600 034.



3. Central Administrative Tribunal,
Chennai Bench, Rep.by its Registrar,
Madras High Court Campus, Chennai-600 104.

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..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records from the Central Administrative Tribunal, Chennai relating to its order dated 18.04.2023 in OA/310/00331/2023 and quash the same as illegal, arbitrary, without jurisdiction

For Petitioner(s): Mr.K.Srinivasa Murthy

For Respondent(s): Ms.L.Parvinbanu
(For R1 & R2)

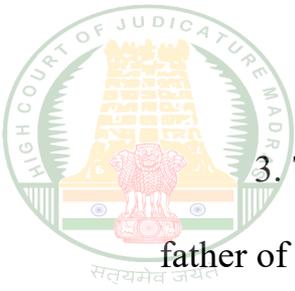
R-3 Tribunal

ORDER

(Order of the Court was made by K.Kumaresh Babu J.)

The present writ petition has been filed to quash the order passed by the 3rd respondent /Central Administrative Tribunal, Chennai, dated 18.04.2023 made in OA/310/00331/2023.

2. Heard Mr.K.Srinivasa Murthy, learned counsel for the petitioner and Ms.L.Parvinbanu, learned counsel for the respondents 1 and 2.



3. The learned counsel appearing for the petitioners would submit that the father of the 2nd respondent, who was working as a Postman, had died in service.

An application for Compassionate appointment was originally sought by the first respondent for her elder son. The claim was considered as per the scheme that was introduced, whereunder Relative Merit Point (hereinafter referred to as 'RMP') would be given in the carved out percentage of 5% in the vacancies that has to be filled up by direct recruitment to be filled up through compassionate appointment.

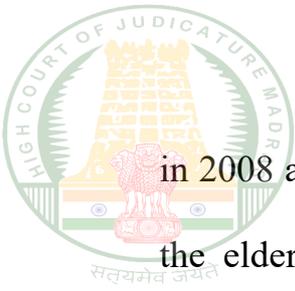
4. The claim for compassionate appointment of the elder son of the first respondent was reviewed by Circle Relaxation Committee (hereinafter referred to as 'CRC') and he was awarded an RMP of 64. Under the compassionate appointment scheme for the year 2012, the first son could not be accommodated, as he had been given an RMP much less than the last of the candidates, who was selected to the post of PA/SA, PM, MTS. Therefore, the claim for compassionate appointment was again taken up by the CRC in the year 2015 and even then the RMP awarded was less than that of the last selected candidates to the said posts. The claim for compassionate appointment was for the third time placed before the CRC convened in 2019-2020, where again also, the RMP awarded to the elder son of the first respondent was less than the last candidate selected and therefore, the claim for compassionate appointment came to be rejected.



5. After the order of rejection, the first respondent had made an application for compassionate appointment in favour of the second respondent, who is the third son of the deceased and had approached the Central Administrative Tribunal, where the Central Administrative Tribunal, without appreciating the above facts, had erred in holding that the claim had been only placed once in the CRC, had directed placement of the claim for compassionate appointment in the next CRC.

6. The learned counsel for the petitioners would submit that it is also to be noted that there is no procedure for a requested change of candidates for compassionate appointment, that too in a case, where already rejection has been made for compassionate appointment that arose out of the death of the second respondent's father. Hence he seeks indulgence of this Court in the order impugned in this writ petition.

7. Countering his arguments, the learned counsel appearing for the respondents 1 and 2, on the other hand, would submit that after the death of the employee, who is the husband of the first respondent and father of the second respondent, the family had been suffering under penurious conditions. She would submit that originally an application was submitted by the first respondent, seeking for compassionate appointment for her elder son as early as



in 2008 and the claim had not been considered by the CRC. In the interregnum, the elder son of the first respondent had expressed his inability to take up responsibilities as he was physically challenged. Thereafter, an application was made by the first respondent, seeking compassionate appointment for the 2nd respondent. She would submit that the RMP that was awarded to the elder son was wholly without appreciating the penurious conditions of the family and therefore, his rejection is improper and the claim of the respondents 1 and 2 ought to have been considered in the proper perspective. Only appreciating the claim made by the respondents, a direction had been issued by the Tribunal to consider the claim of the respondents by placing their request for compassionate appointment in the next CRC. Without placing the same before the next CRC, the petitioners have approached this Court by filing the writ petition. Hence, she seeks dismissal of the writ petition.

8. We have considered the submissions made by the learned counsel appearing on either side and perused the materials available on record.

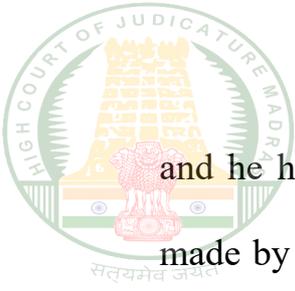
9. The husband of the first respondent had died, while in service, upon which an application for grant of compassionate appointment was originally made by the first respondent seeking compassionate appointment for her elder son one R.T.Kavivanan. It is also admitted that the claim for compassionate appointment for the elder son was considered by the CRC in the year 2012,



2015 and 2020 and the RMP awarded to him in each of the CRCs. The RMP assigned to him did not meet the last merit point of the candidate selected for compassionate appointment in the respective years. Even though an attempt has been made to challenge the same in the present proceedings by the respondents, no specific plea has been made as to how there was a omission to grant RMP, while considering the application in respect of the elder son of the first respondent. The elder son has also not challenged such grant of RMP in respect of his application.

10. We had occasion to deal with the similar issue in W.P.No.20758 of 2024, wherein an Office Memorandum, indicating that only for three times, an application could be taken up for consideration for grant of compassionate appointment was placed before this Court. Relying upon the said memorandum, we had also held that such claim for compassionate appointment cannot be considered in perpetuity and when an applicant does not secure sufficient RMP atleast in three consecutive CRC's, the case must give way for fresh applicants, as the 5% vacancies carved out from direct recruitment is less than the number of applicants, seeking appointment on compassionate grounds.

11. We are of the considered view that the aforesaid judgment also squarely applies to the facts of the present case, as the claim of the first respondent for appointment of the elder son had been considered in three CRC's



and he had not been recommended in any of the CRC's. The present attempt made by the first respondent seeking appointment to the 2nd respondent is only an attempt to circumvent the scheme of compassionate appointment and the Tribunal had wholly erred in not considering the facts of the case in the proper perspective.

12. For the aforesaid reasons, the writ petition stands allowed and the impugned order passed by the 3rd respondent/Tribunal vide order dated 18.04.2023 in OA/310/00331/2023 stands set aside. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(C.V.K.,J.) (K.B.,J.)
06-03-2026

Index: Yes
Speaking order
Neutral Citation: Yes

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To

1. The Registrar,
Central Administrative Tribunal,
Chennai Bench,
Madras High Court Campus,
Chennai-600 104.



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**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

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