

**Central Administrative Tribunal
Madras Bench**

OA 310/00171/2020

Dated Tuesday the 04th day of February Two Thousand Twenty

P R E S E N T

**Hon'ble Shri. P. Madhavan, Member (J)
&
Hon'ble Shri. T. Jacob, Member (A)**

M.Shanmugam,
S/o. M. Munuswamy,
No. 13, V. V. Colony, 1st Street,
Adambakkam, Chennai 600088.

....Applicant

By Advocate M/s. M. Murugan

Vs

1.Union of India,
rep by its Secretary to Government of India,
Ministry of Railways, New Delhi 110001.

2.The Railway Board,
rep by its Chairman,
Rail Bhavan, Raisina Marg,
New Delhi 110001.

3.The Southern Railway,
rep by its General Manager,
George Town, Chennai 600003.

4.The Divisional Railway Manager,
Chennai Division,
Southern Railway,
George Town, Chennai 600003.

5.The Senior Divisional Personnel Officer,
Chennai Division,
Southern Railway,
George Town, Chennai 600003.

6.The Senior Divisional Financial Manager,
Chennai Division,
Southern Railway,
George Town, Chennai 600003.

....Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER

Pronounced by Hon'ble Mr. P. Madhavan, Member(J)

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“i. To call for entire service records including PPO No. 20177060200027 and service certificate of the applicant and direct the respondents to consider applicant's date of entry in service as from 24.04.1981 instead of 01.09.1981 and total period of service rendered as 35 years 9 months and 7 days instead of 29 years 9 months and 14 days and consequently grant financial upgradation under 3rd MACP Scheme on completion of 30 years of service w.e.f. 24.04.2011 and accordingly refix and revise the pay and all other attendance benefits including pension and pay the same within a stipulated period and pay such revised pension and pay interest at 12 % per annum on such arrears in pay and all other attendance benefits including pension till the date of payment to the applicant and

ii. Pass such further or other order as this Tribunal may be pleased to deem fit and proper in the circumstances of the case and thus render justice.”

2. When the matter came up for consideration, learned counsel for the applicant submits that the applicant was initially appointed as Skilled Casual Labour in Respondent Organisation and he was granted temporary status as Skilled Artizan w.e.f. 1.9.1981 and regularised w.e.f. 17.12.1992. The grievance of the applicant is that he was issued service certificate erroneously calculating his period of service as 29 years 9 months 14 days instead of 35 years 9 months and 7 days. He sent representations to rectify the period of service in the service certificate and for granting 3rd MACP which are still pending with the respondents for

consideration. He submits that the applicant will be satisfied if his representations are disposed of by passing a speaking order within a time limit stipulated by this Tribunal.

3. Mr. P. Srinivasan, Senior Standing Counsel for Railways takes notice for the respondents and submits that he has no objection in disposing of the representation of the applicant pending before the competent authority.

4. In view of the limited submission made and without going into the substantive merits of the case, the competent authority is directed to consider representations dt. 04.02.2017 and 23.02.2019 submitted by the applicant in accordance with law and pass a reasoned and speaking order within a period of four months from the date of receipt of copy of this order.

5. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

04.02.2020

(P. Madhavan)
Member (J)