

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**O.A.No.310/00220/2020**

**Dated the Tuesday, 18<sup>th</sup> day of February, 2020**

**PRESENT**

**Hon'ble Mr.P. Madhavan, Judicial Member**

**Hon'ble Mr.T. Jacob,Administrative Member**

R. Rajaram,  
Senior Clerk,  
O/o. Permanent Way/Tindivanam,  
Chennai Division,  
S.Rly.

(By Advocate :M/s. Raio Legis)

**...Applicant**

**Vs.**

1. The Union of India Rep. By  
The General Manager,  
Southern Railway,  
Park Town, Chennai-600 003;
2. The Sr. Divisional Personnel Officer,  
Chennai /S. Rly.,  
Chennai Division-600 003.

**...Respondents**

(By Advocate: Mr. P. Srinivasan)

**O R A L O R D E R**

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

Applicant has filed this OA seeking the following reliefs:-

“to call for the records related to the impugned order of transfer – No. O/o.M/P(Admn.) 13/2020 dated 06.02.2020 passed by the 2<sup>nd</sup> Respondent who is incompetent and to quash the same declaring the transfer as punitive and to direct the respondents to retain the applicant at Tindivanam till the statutory period is completed and to pass such other order/orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice.”

2. The case of the applicant is that he was appointed in the year 2005 in the Southern Railway as RPF constable and was medically decategorised and posted as Jr. Clerk in the divisional office and on promotion as Sr. Clerk, he was transferred to Tindivanam to work under the Sr. Section Engineer/P.Way to prepare the bills for payment, TA bills, Night duty allowance, over time bills, Medical card, directing the employees for PME. While so, he is coerced to carry out the transfer from Tindivanam to Chennai and thus forced to submit a representation detailing the illegalities in the transfer on 08.2.2020 (Annexure-A/4). Without considering the same, the respondents are compelling him to join at Chennai. Hence, he has filed the OA.

3. Learned counsel for the applicant submits that the transfer order is issued against the statutory norms prescribed in the Indian Railway Establishment Code Vol.I and without placing the transfer issue in the placement committee as ordered by the Hon'ble Supreme Court of India. He further submits that since the representation dated 08.02.2020 (Annexure-A4) submitted to the competent authority is still pending with the authorities, applicant would be satisfied if the said representation is directed to be

considered and disposed of by the competent authority by passing reasoned order within a stipulated time set by the Tribunal and till that time the applicant may be directed to be continued in the present post if not already relieved.

4. Mr. P. Srinivasan, Learned Standing Counsel takes notice for the respondents has no objection.

**5. In view of the limited relief sought, the OA is disposed of by directing the competent authority to consider and dispose of the pending representation of the applicant dated 08.02.2020(Annexure-A/4) by passing a reasoned and speaking order within a period of one month from the date of receipt of copy of the order. Till disposal of such representation, the respondents are directed to maintain status quo if applicant is not relieved as on today.**

**6. With the above direction, the OA is disposed of. No costs.**

(T. JACOB)  
MEMBER(A)

(P.MADHAVAN)  
MEMBER(J)

18.02.2020

asvs