

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00288/2020

Thursday, this the 9th day of July, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member

Hon'ble Mr. K.V. Eapen, Administrative Member

Udayachandran B., 54 years, S/o. Bhaskaran Nair,
 Junior Engineer, Power System Installation (PSI),
 Traction Sub Division, Punnappa, TVC Division,
 Southern Railway, resides in Pulyoorconathu Veedu,
 Anavoor PO, Neyyattinkara, Trivandrum,
 Pin – 695124, Mobile No. 9447309511.

..... **Applicant**

(By Advocate : Mr. M.K. Pradeep Kumar)

V e r s u s

1. Union of India, represented by the Secretary to the Government of India, Ministry of Railway (Railway Board), Rail Bhavan, New Delhi – 11001.
2. The General Manager, Southern Railway, Headquarters Office, Park Town, Chennai – 600003.
3. The Divisional Regional Manager, Trivandrum Division, Divisional Office, Thycaud, Thiruvananthapuram – 695 014.
4. The Senior Divisional Personnel Officer, Trivandrum Division- 695 014.
5. The Senior Divisional Electrical Engineer, Traction Division, Southern Railway, Trivandrum Division – 695 014.
6. Additional Divisional Electrical Engineer, Traction Division, Ernakulam, Southern Railway, Trivandrum Division – 682 011.
7. The Senior Section Engineer, Power System Installation (PSI), Challakkudy, Southern Railway, Trivandrum Division – 680 307.
8. Divya T.S., Junior Engineer, Power System Installation (PSI), Challakkudy, Southern Railway, Trivandrum Division, 680 307.

..... **Respondents**

[By Advocate : Mr. Sunil Jacob Jose (R1-7)]

This application having been heard on 09.07.2020 through video conferencing, the Tribunal on the same day delivered the following:

O R D E R (Oral)

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

Heard Advocate Mr. M.K. Pradeep Kumar, appearing for the applicant and Advocate Mr. Sunil Jacob Jose, appearing for the respondents 1-7 through video conferencing.

2. Applicant is presently working as a Junior Engineer at Traction Substation, Punnapra, Alappuzha under Trivandrum Division of Southern Railway. He has been transferred on his own request as per Annexure A1 order to the office of Traction Power Controller, Trivandrum. The grievance of the applicant is that the respondents have not yet implemented Annexure A1 order. Aggrieved, the applicant has filed the present OA seeking the following reliefs:

“i) issue any order or direction commanding respondents to implement Annexure A1 and A3 order in compliance of Annexure A2 final order or to implement to the extent Sl. No. 2 in Annexure A1 and A3 order in compliance of Annexure A2 final order or by separate order the applicant is to be transferred to the locality to which he had requested on his severe domestic problems and the same is already granted as per Annexure A1 at serial No. 2.

ii) issue any order or direction commanding 3rd respondents to consider and pass order on Annexure A4 representation.

And

(iii) grant such other relief as this Hon'ble Tribunal deem fit and proper in the circumstances of the case including the cost of this Original Application.”

3. When the matter came up for consideration, it was submitted by the learned counsel for the applicant that Annexure A4 representation given by him is pending before the respondents without consideration.

4. Learned counsel for the respondents 1-7 submitted that he has no objection in considering and disposing of the representation filed by the applicant in the light of the relevant rules and regulations.

5. **Since the applicant is satisfied by the consideration of Annexure A4 representation pending with the competent authority, we direct the competent authority to consider Annexure A4 representation and pass a reasoned and speaking order in the light of the relevant rules and regulations within a period of two months from the date of receipt of a copy of this order.**

6. The OA is disposed of as above without going into the merits at the admission stage itself. No costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

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APPLICANT'S ANNEXURES

- Annexure A1** – True copy of the order No. O.O No. 06/2019/Elec/TRD dated 6.3.2019 of 4th respondent.
- Annexure A2** – True copy of the final order dated 7.11.2019 in OA No. 180/00172/2019 of this Hon'ble Tribunal.
- Annexure A3** – True copy of order No. V/P.536/VIII/Elec/TRD/Vol.II dated 22.6.2020 of 4th respondent.
- Annexure A4** – True copy of representation dated 2.7.2020 of applicant to the 3rd respondent.

RESPONDENTS' ANNEXURES

Nil

-X-X-X-X-X-X-X-X-