

**Central Administrative Tribunal
Madras Bench**

OA/310/00505/2021

Dated the 22nd day of April Two Thousand Twenty One

P R E S E N T

Hon'ble Mr.S.N.Terdal, Member(J)

&

Hon'ble Mr.C.V.Sankar, Member(A)

T.C.Sivakumar,
Junior Engineer (QS&C),
O/o the Commander Works Engineer,
Pallavan Salai,
Chennai-2. ..Applicant
By Advocate **Mr.V.Vijay Shankar**

Vs.

1. The Union of India, rep. by the
Engineer in Chief,
Army Headquarters,
New Delhi-11.
2. The Chief Engineer,
Southern Command,
Pune 411001.
3. The Additional Director General(Project),
Chennai-9.
4. The Chief Engineer,
Chennai Zone,
Island Grounds, Chennai-9.
5. The Commander Works Engineer,
Pallavan Salai,
Chennai-2. ..Respondents

By Advocate **Mr.SU.Srinivasan**

ORAL ORDER

[Pronounced by Hon'ble Mr.S.N.Terdal, Member(J)]

The relief prayed for in this OA is as follows:-

“to call for the records of the 2nd respondent in its No.132601/Sur-Defi-19/JE(QS&C)/61/E1B(S)/A1(a) dated 15.10.2019 and the consequential order of the 4th respondent in its No.10116/A/JE(QS&C)/1543/E1B(S) dated 06.03.2021 and quash the same in so far as the applicant is concerned and consequently direct the respondents to retain the applicant within the jurisdiction of the Southern command and pass such other order or orders as may be deemed fit and thus render justice.”

2. Heard Mr.Vijay Shankar for the applicant and Mr.SU.Srinivasan for respondents on advance notice. Perused the OA and all the documents.
3. At the time of hearing, counsel for the applicant submitted that the applicant had filed a representation dated 18.2.2021 which has not been considered by the competent authority and the intermediate authority has, without forwarding it to the competent authority, rejected it. He further submitted that the applicant may be permitted to make a comprehensive representation to the respondents in view of the increase in Covid cases and this OA may be disposed of with a direction to the respondents to consider such representation, in a time bound manner.
4. Accordingly, this OA is disposed of, without going into the merits of the case, with a liberty to the applicant to make a comprehensive representation within a week from the date of receipt of a copy of this order. On receipt of such representation, the respondents are directed to consider the same and pass a reasoned and speaking order,

as per law, within a period of two months thereafter. Until the disposal of the representation of the applicant, the impugned transfer order dated 6.3.2021 shall not be given effect to.

5. OA is disposed of at the admission stage. No costs.

(C.V.Sankar)
Member(A)

22.04.2021

(S.N.Terdal)
Member(J)

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