

## **Central Administrative Tribunal Ernakulam Bench**

**O.A No.180/00206/2020**

Thursday, this the 23<sup>rd</sup> day of September, 2021

**CORAM:**

**Hon'ble Mr. P.Madhavan, Judicial Member  
Hon'ble Mr.K.V.Eapen, Administrative Member**

M.Sridharan, aged 41 years, S/o.P.Muthumadan  
Senior Section Engineer(SSE)  
Carriage and Wagon Department (Mechanical),  
Southern Railway, Nagercoil,  
Trivandrum Division  
Residing at No. 11A, Railway Colony, Kottar,  
Nagercoil- 629002

## Applicant

(By Advocate: Mrs. Shameena Salahudheen)

## Versus

1. The General Manager, Southern Railway, Park Town, Chennai- 600003.
2. The Chief Personnel Officer, Southern Railway, Park Town, Chennai- 600003.
3. The Senior Divisional Personnel Officer, Divisional Office, Trivandrum Division, Southern Railway, Trivandrum- 695014.
4. The Senior Divisional Mechanical Engineer, Divisional Office, Trivandrum Division, Southern Railway, Trivandrum- 695014.
5. The Coaching Depot Officer  
Office of the Coaching Depot Officer,  
Nagercoil Junction- 629002.
6. The Divisional Railway Manager, Divisional Office, Trivandrum Division, Southern Railway, Trivandrum-695014.
7. Sri. Prasad.K.,Senior Section Engineer,  
Carriage and Wagon Department (Mechanical)  
Southern Railway, Kochuveli,

Trivandrum Division – 695021.

8. Kumer Singh Meena, Senior Section Engineer,  
 Carriage & Wagon Department (Mechanical)  
 Southern Railway, Kochuveli, Trivandrum Division- 695021  
 Residing at Railway Colony, Kattar P.O.,  
 Nagercoil District. - Respondents

(By Advocate: Mr.Sunil Jacob Jose for R1 to 6 & M/s.Varkey & Martin for R8.)

The O.A having been heard on 23<sup>rd</sup> September, 2021 through video conferencing, this Tribunal delivered the following order on the same day:

### **O R D E R (ORAL)**

#### **P.Madhavan, Judicial Member**

This Original Application has been filed by the applicant seeking the following reliefs:

- “(i) To call for the records leading to Annexure A-1 and A2 and set aside the same to the extend it transfers the Applicant to Kochuveli.*
- (ii) Direct the respondents to consider Annexures A6 and A7 and pass favourable orders.*
- (iii) Declare that the Applicant is entitled to continue as SSE, Nagercoil.*
- (iv) Such other relief as may be prayed for and this Tribunal may deem fit to grant.*
- (v) Grant the cost of this Original Application.”*

2. When the matter came up for hearing, the counsel for the applicant submits that the relief has already been granted and there is nothing further survives.

3. The Original Application is dismissed as infructuous. No costs.

**(K.V.Eapen)**  
**Administrative Member**

**(P.Madhavan)**  
**Judicial Member**

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**List of Annexures**

Annexure A1 - True copy of the Transfer Order No. 12/20/C&W/M/C dated 20.3.2020 issued by the 3<sup>rd</sup> respondent.

Annexure A2- True copy of the Relieving Order No.NCJ/CW/1 dated 21.03.2020.

Annexure A3- True copy of the ID Card of the applicant's son.

Annexure A4- True copy of Certificate issued by the Children Orthopaedic and Rehabilitation Centre.

Annexure A5- True copy of the Railway Board Order No. RBE 15/2019 dated 30.01.2019 along with O.M. Dated 8.10.2018.

Annexure A6- True copy of the Representation submitted by the applicant dated 23.03.2020.

Annexure A7- True copy of the Reminder dated 27.03.2020.

Annexure A8- A true copy of the Interim Order in W.P(C) TMP No. 228/2020 dated 30.04.2020.

Annexure A9 - A true copy of the Order No. E(NG)I-2020/TR/2 dated 7.8.2020 issued by the Railway Board.

Annexure A10- A true copy of the Judgement of the Hon'ble High Court of Kerala in RP No 536/2020 in OP(CAT) 3953/2012.

Annexure A11- A true copy of the communication issued by the 3<sup>rd</sup> respondent.

Annexure R1- True copy of the Judgement dated 20.03.2020 of the Hon'ble High Court of Kerala in OP(CAT) No.4220/2012 and connected cases.

Annexure R2- True copy of the relieving letter accepted by the applicant.

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