

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.418/2002.

CORAM: Friday this the 14th day of June 2002.

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

A Dhavamani, D/o Late T Arjunan, Head Clerk,  
Office of the Senior Section Engineer/  
Carriage & Wagon, Southern Railway,  
Salem Junction.

Applicant

(By Advocate S/Shri T.C.Govinda Swamy)

Vs.

1. Union of India represented by the General Manager,  
Southern Railway, Headquarters Office,  
Park Town P.O., Chennai-3.
2. The Senior Divisional Personnel Officer,  
Southern Railway, Palghat Division,  
Palghat.
3. The Divisional Railway Manager,  
Southern Railway, Palghat Division,  
Palghat.
4. The Senior Personnel Officer(Reservation),  
General Manager's Office,  
Southern Railway, Headquarters Office,  
Park Town P.O., Chennai-3.
5. S Gopinathan, Head Clerk,  
O/o the Senior Section Engineer,  
Carriage & Wagon,  
Southern Railway, Salem.
6. Southern Railway Mazdoor Union,  
Palghat Railway Divisional Office,  
Palghat, through its Secretary

Respondents

(By Advocate Mrs. Rajeswari Krishnan)

The application having been heard on 14th June, 2002  
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant, a lady Head Clerk belonging to the  
Scheduled Caste Community is aggrieved, that by order dated  
1.3.2002 she has been transferred from Salem to Mettur Dam

(M)

Terminal Railway Station. It is alleged in the application that, as a matter of practice, clerical staff belonging to ministerial cadre are not subjected to rotational transfers and that her transfer from Salem to Mettur Dam Terminal Railway Station where there is no other lady staff, putting her to a sense of insecurity and embarrassment, has been made yielding to the pressure of the 6th respondent's union and not in public interest. Aggrieved by the Annexure A-1 order of transfer, the applicant has made a representation to the 2nd respondent, which was disposed of by A-2 order dated 20.5.2002, refusing to grant her request for retention. Aggrieved by this, the applicant made a representation to the 3rd respondent which has not been considered and disposed of. Apprehending that the applicant would be relieved and put to hardship, the applicant has filed this application seeking to quash Annexures A-1 and A-2.

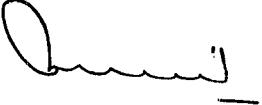
2. When the application came up for hearing Smt.Rajeswari Krishnan appeared for the respondents 1 to 4. Counsel on either side agree that the application may be disposed of directing the 3rd respondent to consider the Annexure A-3 representaton and to give the applicant an appropriate reply within one month keeping the relief of the applicant pursuant to the impugned order A-1 in abeyance in case she has not already been relieved as on date.

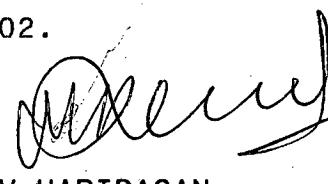
3. In the light of the above submission made by the learned counsel on either side, the application is disposed of directing the 3rd respondent to consider A-3 representation of the applicant and to give her an appropriate reply within a period of



one month from today and that till such reply is served on the applicant, the applicant shall not be relieved from the present place of posting if she has not already relieved as on today. No costs.

Dated the 14th June 2002.

  
T.N.T. NAYAR  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

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APPENDIX

Applicant's Annexures:

1. A-1 : A true copy of the office Order No.J/MC/2/2002 dated 1.3.2002 issued by the 2nd respondent.
2. A-2 : A true copy of the office Order No.J/P.535/V/7/Vol.X dated 20.5.2002 issued by the 2nd respondent.
3. A-3 : A true copy of the representation dated 20.5.2002 addressed to the 3rd respondent.
4. A-4 : A true copy of the representation dated nil addressed to the 4th respondent.
5. A-5 : A true copy of the order No.E(SCT) 70CM 15/15/3 dated 19.11.1970 issued by the Railway Board.
6. A-6 : A true copy of the order No.E(SCT) 74 CM 15/58 dated 14.1.75 issued by the Railway Board.
7. A-7 : A true copy of the order No.E(SCT) 74 CM 15/58 dated 14.1.75 issued by the Railway Board.

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