

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 442 of 2009

Tuesday, this the 30th day of June, 2009

CORAM:

Hon'ble Dr. K.B.S. Rajan, Judicial Member
Hon'ble Ms. K. Noorjehan, Administrative Member

**K.K. Madhusoodhanan, aged 55 years, S/o. late
 Chathukutty, Head Typist Office of Deputy Chief
 Engineer (Construction), Southern Railway, Cannanore,
 residing at 'Pavithra', Naderi Road, Quilandy.** **Applicant**

(By Advocate – Mr. T.A. Rajan)

V e r s u s

1. **Union of India, represented by General Manager,
 Southern Railway, Chennai**
2. **The Chief Administrative Officer (Construction), Southern Railway,
 Chennai.**
3. **The Deputy Chief Engineer (Construction), Southern Railway,
 Cannanore.** **Respondents**

(By Advocate – Mr. Thomas Mathew Nellimmottil)

The application having been heard on 30.6.2009, the Tribunal on the same day delivered the following:

O R D E R

By Hon'ble Dr. K.B.S. Rajan, Judicial Member –

Heard the learned counsel for the applicant.

2. This application has been filed challenging Annexure A-1 order dated 18.6.2009 whereby the applicant stands transferred from Calicut to Madurai. The applicant has moved a representation dated 20.6.2009 addressed to the Chief Administrative Officer which has not so far been disposed of as informed by the counsel; also the applicant is stated to have not been relieved.

3. Normally when such representations are made, they are expected to be considered and decision arrived at, thereafter only challenge to transfer order can be made. Where, before such decision on representation is arrived at and challenge is made to the transfer, the Tribunal disposes of the OA with a direction to the respondents to consider the representation and arrive at a judicious decision and till such time such a decision takes place the respondents are restrained from giving effect to the transfer order so far as the particular individual is concerned.

4. Following the above procedure, and in the interest of justice, this OA is disposed of with a direction to the respondents to consider Annexure A-2 representation dated 20.6.2009 and till such time the representation is not disposed of, the applicant shall not be relieved from the present place of posting. No costs.

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(K. NOORJEHAN)
ADMINISTRATIVE MEMBER

[Signature]
(K.B.S. RAJAN)
JUDICIAL MEMBER

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