

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 468 of 2003

Wednesday, this the 16th day of July, 2003

CORAM

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

1. T. Antony,
S/o M. Thanam,
C/o Station Manager,
Trivandrum Central Railway Station,
Trivandrum,
[Residing at TC 3/245, Priyadarsini Lane,
Muttada, Thiruvananthapuram-695025].Applicant

[By Advocate Mr. M.P. Varkey]

Versus

1. General Manager,
Southern Railway,
Park Town, Chennai-600003
2. Chief Personnel Officer,
Southern Railway,
Park Town, Chennai-600003
3. Divisional Railway Manager,
Southern Railway, Thiruchirapalli-620001
4. Divisional Railway Manager,
Southern Railway, Divisional Office,
Thycaud, Trivandrum-695014
5. Senior Divisional Personnel Officer,
Southern Railway, Thycaud,
Trivandrum-695014Respondents

[By Advocate Mr. P. Haridas]

The application having been heard on 16-7-2003, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant on an Inter-Railway transfer joined the
Thiruchirapalli Division of Southern Railway on 31-12-1992.
The applicant registered his request for an inter-divisional
transfer to Trivandrum Division on 26-2-1993. About three
years after he registered his request for inter-divisional

transfer, he was by Annexure A-II order dated 20-2-1996 temporarily transferred to Trivandrum Division, where he has been working continuously from 27-2-1996 onwards. The applicant, finding that his transfer has not been regularized for all these years, submitted Annexure A-III and Annexure A-IV representations, but did not get any reply. While so, by the impugned order dated 24-3-2003 (Annexure A-V), the applicant has been ordered to be sent back to Thiruchirapalli Division. Aggrieved, the applicant has filed this application seeking to set aside Annexure A-V to the extent it affects him and for a direction to the respondents to permit him to be retained in Trivandrum Division.

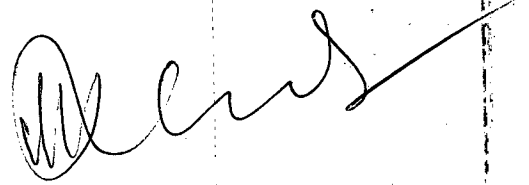
2. When the application came up for hearing, counsel on either side agree that the application may be disposed of permitting the applicant to make a detailed representation regarding his regular transfer to Trivandrum Division to the 2nd respondent within fifteen days from today and directing the 2nd respondent that if such a representation is received, the same shall be considered in the light of the facts, rules and instructions on the subject and an appropriate reply given to the applicant and that till such a reply of the 2nd respondent is served on the applicant, the applicant shall not be relieved from Trivandrum Division on the basis of the impugned order.

3. In the light of the above submissions by the learned counsel on either side, the Original Application is disposed of permitting the applicant to make a detailed representation regarding his regular transfer to Trivandrum Division to the 2nd respondent within fifteen days from today and directing the 2nd respondent that if such a representation is received, the same shall be considered in the light of the facts, rules and instructions on the subject and an appropriate reply given to

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the applicant and that till such a reply of the 2nd respondent is served on the applicant, he shall not be relieved from Trivandrum Division on the basis of the impugned order. No order as to costs.

Wednesday, this the 16th day of July, 2003



A.V. HARIDASAN
VICE CHAIRMAN

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