

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No. 500 of 2003

Wednesday, this the 16th day of July, 2003

CORAM

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

1. C. Nataraja Moorthy,  
S/o S. Chidambaram,  
Station Master, Grade II,  
Sengulam R.S & P.O, Tirunelveli District,  
Residing at: No.29, Kalaivanar Street,  
Ozhuginassery, Nagercoil,  
Pin - 629 001 .....Applicant

[By Advocate Mr. T.C. Govindaswamy]

Versus

1. Union of India, represented by the  
General Manager, Southern Railway,  
Headquarters Office, Park Town PO, Chennai-3
2. The Chief Personnel Officer,  
Southern Railway, Headquarters Office,  
Park Town PO, Chennai-3
3. The Senior Divisional Personnel Officer,  
Southern Railway,  
Tiruchirappalli Division, Tiruchirappalli.
4. The Senior Divisional Personnel Officer,  
Southern Railway,  
Trivandrum Division, Trivandrum-14
5. The Divisional Railway Manager,  
Southern Railway, Trivandrum Division,  
Trivandrum-14
6. The Chief Passenger Transportation Master,  
Southern Railway, Headquarters Office,  
Park Town PO, Chennai-3 .....Respondents

[By Advocate Mrs Sumathi Dandapani]

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

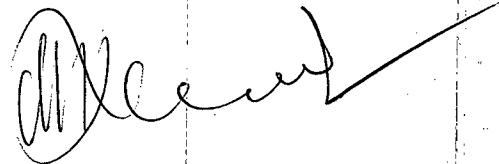
The applicant working as a Station Master in  
Tiruchirappalli Division registered his request for transfer to  
Trivandrum Division in December, 1992. By Annexure A2 order  
dated 20-2-1996, the applicant was temporarily transferred to

Trivandrum Division, where he is still continuing. Finding that inspite of the priority he has not been regularly transferred to Trivandrum Division while persons who had registered after the applicant made his request for transfer, the applicant submitted Annexure A3 representation dated 25-6-2000 to the 6th respondent seeking to transfer him to Trivandrum Division on a regular basis. He followed it up with further representation dated 3-4-2003 (Annexure A4). However, his present grievance is that by an order dated 24-3-2003 (Annexure A1) he has been sent back to Thiruchirappalli Division. Aggrieved by that the applicant has filed this application seeking to set aside Annexure A1 to the extent it affects him, for a declaration that he is entitled to be considered for transfer and appointment to the Trivandrum Division of Southern Railway in preference to whose who were mentioned in paragraph 4(f) of the OA in the initial recruitment grade of Station Masters and for a direction to the respondents accordingly.

2. When the application came up for hearing today, Smt.Sumathi Dandapani appears for the respondents. Counsel on either side agree that the application may be disposed of at this stage permitting the applicant to make a detailed representation regarding his regular transfer to Trivandrum Division on the priority of request 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 on the priority of request 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. No order as to costs.

Wednesday, this the 16th day of July, 2003



A.V. HARIDASAN  
VICE CHAIRMAN

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