

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.584/96

Monday, the 10th day of June, 1996.

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

TV Pushpangathan,
Junior Engineer/Permanent Way/II,
Southern Railway,
Cochin Harbour Terminus.

- Applicant

By Advocate Mr TC Govindaswamy

Vs.

1. The General Manager,
Southern Railway,
Headquarters Office,
Park Town.P.O.
Madras-3.
2. The Chief Engineer
(Civil Engineering)
Southern Railway,
Headquarters Office,
Park Town.P.O.
Madras-3.
3. The Senior Divisional Engineer,
Southern Railway,
Divisional Office,
Trivandrum-14.
4. The Divisional Personnel Officer,
Southern Railway,
Divisional Office,
Trivandrum-14.
5. G Thomas Mathew,
Safety Counsellor,
Southern Railway,
Divisional Office,
Trivandrum-14. through
the Divisional Personnel Officer,
Southern Railway,
Divisional Office, Trivandrum-14. - Respondents

By Advocate Mr KV Sachidanandan (for R.1 to 4)

..2...

The application having been heard on 10.6.96 the Tribunal on the same day delivered the following:

O R D E R

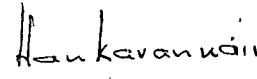
CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant challenges A1 order transferring him from the post of Junior Engineer, Cochin to the post of Junior Engineer/Safety Counsellor(place not named). According to him, the order of transfer is issued without authority by the Divisional Personnel Officer. On the face of it, it is not clear who issued the order or under what authority it was issued. With all the controversies relating to lack of jurisdiction, anonymity of the place of posting and so on, the order under challenge cannot stand. Counsel appearing for Railways could not support the order on the face of it, or even otherwise. We quash A1 order to the extent it relates to applicant, granting freedom to the competent authority to transfer him if necessary, naming the station to which he is transferred and disclosing the authority by and under which he is transferred.

2. Application is disposed of as aforesaid. No costs.

Dated, the 10th June, 1996.


PV VENKATA KRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

List of Annexure

Annexure A1: A true copy of the office Order
No.47/96/WP dated 9.5.96, issued
by the fourth respondent.