

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.98/99

Tuesday this the 21st day of September, 1999

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. P.N.Geethapriyan S/o P.K.Narayanan
aged 34 years, A.C.Goods Driver,
Crew Booking Office,
Southern Railway, Erode.
2. R.Rajendra Prasad, S/o Rajappan
aged 35 years, A.C.Goods Driver
Crew Booking Office,
Southern Railway,
Erode.
3. P.Premarajan S/o Govindan
aged 32 years, A.C.Goods Driver,
Southern Railway,
Erode.Applicants

(By Advocate Mr. T.A.Rajan)

Vs.

1. Union of India, represented by the
General Manager,
Southern Railway, Chennai.
2. The Senior Divisional Personnel Officer,
Southern Railway, Palakkad.
3. C.T.Baiju, Goods Driver,
Crew Booking Office,
Southern Railway,
Erode.
4. J.Joyee, Goods Driver,
Crew Booking Office,
Southern Railway,
Erode.
5. MNV Gopalakrishnan
Goods Driver,
Crew Booking Office,
Southern Railway, Erode.Respondents

(By advocate Mrs.Sumati Dandapani for R.1&2)

The application having been heard on 21.9.99, the
Tribunal on the same day delivered the following;

O R D E R

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

Applicants who are A.C. Goods Drivers presently posted at Erode have filed this application impugning the order dated 20.1.99 (A1) by which among others respondents 3 to 5 who had registered for transfer to Palakkad after the applicants have registered for transfer have been transferred to Palakkad. According to the applicants while making transfer on request the seniority of registration has to be acted upon according to the acts and rules and the transfer of the respondents 3 to 5 overlooking the applicants' seniority of registration of transfer is illegal and unjustified.

2. The respondents in their reply statement have admitted that the applicants are senior to the respondents 3 to 5 in the matter of registration for transfer to Palakkad but justified their action in transferring the respondents 3 to 5 without transferring the applicants on the ground that on account of pressing need for diesel goods drivers in Palakkad, the respondents 3 to 5 who are trained in diesel traction have been transferred. The applicants who have been trained in A.C. traction are being utilised in Erode since there is need there and cannot be transferred to Palakkad as there is no need for A.C. Goods Drivers at Palakkad for the present. The respondents have further indicated in para 6 of their reply statement as follows:

"When A.C. traction work is completed between Shoranur and Cochin Harbour Terminus, there is further scope for Goods Train operation from Palghat to Erna-kulam/Cochin. The applicants will be considered for transfer to Palghat at that time."

2. When the application came up for hearing today, counsel for the applicants states that in view of the submission of the respondents in para 6 of the reply statement, the application may now be closed without any further direction. Hence the application is closed without any further direction leaving the parties to bear their costs.

Dated the 21st day of September, 1999



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

|ks|

List of Annexure referred to:

Annexure A.1: True copy of the order
No. J/P.535/V/3 Vol. XIII dated 21.1.99 of
the 2nd respondent.

...