

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.99/97

Monday, this the 17th day of February, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATKRISHNAN, ADMINISTRATIVE MEMBER

CP Surendra Nath,
Station Master,
Southern Railway,
Lakkidi.

- Applicant

By Advocate Mr TC Govindaswamy

Vs

1. The Chief Personnel Officer,
Southern Railway,
Headquarters Office,
Park Town P.O.
Madras-3.

2. The Divisional Personnel Officer,
Southern Railway,
Palghat Division, Palghat.

3. The Divisional Railway Manager,
Southern Railway,
Palghat Division, Palghat.

4. Garg,
Divisional Railway Manager,
Southern Railway,
Palghat Division, Palghat.

5. K Raghunathan,
Station Master,
Southern Railway,
Palghat Town Railway Station,
Palghat.

- Respondents

By Advocate Mrs Sumathi Dandapani (for R.1 to 4)

The application having been heard on 17.2.97 the
Tribunal on the same day delivered the following:

..2...

ORDER

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

This application is directed against an order of the second respondent by which the 5th respondent has been transferred to Palghat Town Station as Station Master Grade-III, downgrading the post on an out of turn basis. The grievance of the applicant is that he had registered for a transfer to Palghat, that when another person was sought to be appointed at Palghat Town Station, he approached this Tribunal with an application which was disposed of recording the statement on behalf of the respondents that the order impugned in that case had been cancelled, and that it is with a view to deprive the applicant of the benefit of his posting at Palghat that the present order has been issued appointing the 5th respondent herein, downgrading the post, allegedly on the basis of his request. The applicant therefore has prayed that the impugned order may be quashed and the respondents 1 to 3 be directed to transfer the applicant to the existing vacancy at Palghat on the basis of his position in registration for transfer.

2. We have heard Shri TC Govindaswamy, counsel for applicant and Smt Sumathi Dandapani, counsel for respondents 1 to 4. After making submissions for quite some time, learned counsel for applicant wishes to withdraw this application with liberty to take up the issue involved in this case with the 1st respondent and prays that a direction may be given to 1st

respondent to consider the representation, if so made, by the applicant in accordance with law.

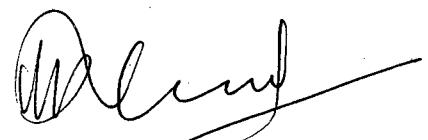
3. Learned counsel for respondents 1 to 4 has no objection for giving appropriate directions in that regard.

4. In the result, granting liberty to the applicant to take up the issue with the 1st respondent, the application is closed as withdrawn. No costs.

Dated, the 17th February, 1997.


PV VENKATAKRISHNAN

ADMINISTRATIVE MEMBER


AV HARIDASAN
VICE CHAIRMAN

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