

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH


O.A.No.13/2005.

Friday this the 7th day of January, 2005.

CORAM:

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

1. A CHENNIAPPAN, aged 59 years,
S/o Avanasi Gounder,
Sr. Trackman/SR/under SE/PW/E/PTJ
No. 8/66, Semmandam palayam P.O.,
Somanur (Via) Coimbatore District.
2. R SUBRAMANI, aged 50 years,
S/o Ramasamy,
Sr. Trackman/SR/under SE/PW/E/O/PTJ
No. 74 Sedapalayam P.O.,
Somanur (Via) Coimbatore District.
3. V PALANISAMY, aged 49 years,
S/o Vaiyapuri
Sr. Trackman/SR/under SE/PW/E/O/PTJ
Vaikkalpalayam, Supparayan Puthur P.O.,
Somanur (Via) Coimbatore District.
4. M LAKSHMANAN, aged 52 years
S/o Muthusamy Gounder
Gangmate/SR/under SE/PW/E/O/PTJ
15/63H2, Marappalam, Darmalingamkoil Street
Madukkarai P.O., Coimbatore District
5. P BALASUBRAMANIAM, aged 37 years
S/o Palanisamy
Trackman/SR/under SE/PW/W/PTJ
2/15, Kamar Street, Ettimadai P.O.,
Madukkarai (Via) Coimbatore District.
6. M KRISHNAKUMAR, aged 59 years, S/o MAYANDI
Gate Keeper/SR/under SE/PW/E/PTJ
Ambazakode House, Pallasana P.O.,
Chittur (Via) Palakkad District
7. A SHANMUGAM, aged 48 years S/o AYYASAMY
Sr. Gate Keeper/SR/under SE/PW/E/O/PTJ
Sulur (Via) Coimbatore District.
8. V CHANDRAN, aged 52 years,
s/o Kuttan, Trackman/SR/ under SE/PW/E/O/PTJ
c/o Station Master, Somanur P.O. Coimbatore District.

9. V. MOOSAKOYA, aged 52 years,
S/o Abubakkar
RGK/SR/under SE/PW/E/O/PTJ
Walladathil House, Kadalundi P.O.,
Calicut District, Kerala State
 10. N. SIVANANDAN, aged 52 years
S/o Narayanan
Gangmate/SR/under SE/PW/E/O/PTJ
Kilakkaduthu Kilakkathil, Thalava P.O.,
Karunagappalli, Kerala State.
 11. M. VASU, aged 56 years
S/o Murugandi,
Sr.Trackman/SR/under SE/PW/E/O/PTJ
C/o Station Master, Somanur P.O.,
Coimbatore District.
 12. S. PUSHPAM, aged 50 years
W/o Ukkuppayyan,
Trackwoman/SR/under SE/PW/E/O/PTJ
No.9, Ramasamy Vathiar Street
Irugur P.O., Coimbatore District.
 13. K. CHINNASAMY, aged 47 years,
S/o Kalimuthu,
Gangmate/SR/under SE/PW/E/O/PTJ
C/O Station Master, Somanur P.O.,
Coimbatore District.
 14. N. SREEDEVI, aged 53 years,
W/o Kumaran
Sr. Trackwoman/SR/under SE/PW/W/O/PTJ
C/o Station Master, Somanur P.O.,
Coimbatore District.
 15. K. RAMAN, aged 51 years,
S/o Kandan
Sr. Trackman/SR/under SE/PW/E/O/PTJ
Kannodu, (Opp) Kanjikode Railway Station
Kanjikode P.O., Palakkad District
 16. N. KARUPPANNASAMY, aged 47 years
S/o Nainan
Sr. Trackman/SR/under SE/PW/E/O/PTJ
No.75/6, Charoh Road (Opp)
Somanur P.O., Palladam Taluk
Coimbatore District.
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17. C. RAMASAMY, aged 55 years
S/o Chennimalai,
Keyman/SR/under SE/PW/E/O/PTJ
No 6/60, Pillayarkoil Street
Unjapalayam P.O., Somanur (Via)
Coimbatore District.
18. V. MOHAN RAJ, aged 47 years,
S/o Vishvanathan
Kenman/ SR/under SE/PW/E/O/PTJ
Thanneerpanthal Kadu, Semman Dam Palayam P.O
Somanur Via. Coimbatore District
19. K. CHANDRIKA, aged 53 years
D/o Krishnan,
Sr. Trackwoman/SR/under SE/PW/W/O/PTJ
Thottingal House, Meleapuram, Vaganasala,
Olavakkode P.O., Palakkad District
20. C K VALSALA, aged 55 years
W/o Achuthan,
Sr. Trackwoman/SR/under SE/PW/W/O/PTJ
Kanakavalliyal House, Meleapuram Vaganasala
Olavakkode P.O., Palakkad District
21. A. PUGALENTHI, aged 51 years
S/o Arumugam
Keyman/SR/under SE/PW/E/O/PTJ
Maruthipatty P.O., Morappur (Via)
Arur Taluk, Darmapuri District
22. R. MUTHUSAMY, aged 47 years
S/o Raman
Sr. Trackman/SR/under SE/PW/E/O/PTJ
No 40, MGR Nagar, Sedapalayam Road
Somanur (Via) Coimbatore District
23. C. SUNDARI, aged 54 years
W/o Sundaran
Sr. Trackwoman/SR/under SE/PW/W/O/PTJ
Pallakkattuthodi House, Kinavallore
Parli P.O., Palakkad District .. Applicants

(By Advocate Shri TC Govindaswamy)

vs.

1. Union of India, Represented by The General Manager,
Southern Railway, Head Quarters Office, Park Town P.O,
CHENNAI-3.
2. The Divisional Railway Manager, Southern Railway, Palghat
division, **PALGHAT.**

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3. The Senior Divisional Personnel Officer,
Southern Railway, Palghat Division,
Palghat. Respondents

(By Advocate Shri Sunil Jose)

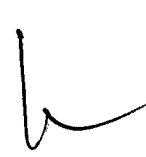
The application having been heard on 7.1.2005,
the Tribunal on the same day delivered the following:

O R D E R (Oral)

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

The applicants are Trackmen/Gangmates/Keymen working under the Section Engineer/Permanent Way/East Poddanur of Southern Railway, Palghat Division. The contention of the applicants in the O.A. is that, in terms of the orders of the Tribunal dated 22.2.2000 in O.A.277/1998 and the same was confirmed by the Hon'ble High Court of Kerala in O.P.No.19807/2000, the applicants were not given the Railway Quarters at Somanur and they are entitled to the House Rent Allowance (HRA for short) at the rates applicable to 'B-1' class cities. The applicants were submitted a joint representation dated 16.6.2004(A5), which is not yet responded to. Aggrieved by the inaction on the part of the respondents the applicants have filed this O.A.seeking the following main relief:

"Declare that the applicants are entitled to be paid House Rent Allowance at the rates as applicable to the notified city of Coimbatore Urban Agglomeration for the period of their service at Somanur Railway Station as declared in Annexure A1, which was confirmed by A3 and A4 and direct the respondents to grant and pay the same accordingly within a time limit as may be found just and proper by this Hon'ble Tribunal."

2. When the matter was taken up Shri TC Govindaswamy, learned counsel appeared for the applicants and Shri Sunil Jose, learned counsel for Railways appeared for the respondents. Counsel for applicants submitted that the applicants would be satisfied if a limited direction is given to the respondents to consider and dispose of the representation within a time frame.
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3. Learned counsel for respondents submitted that he has no objection in adopting such a course of action. This Court is also of the view that such an action will meet the ends of justice.

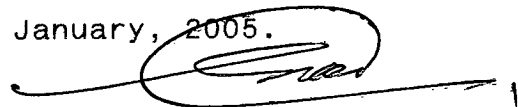
4. In the interests of justice, this court directs the 2nd respondent or any authority to consider and dispose of the representation submitted by the applicants within a period of two months from the date of receipt of a copy of this order.

5. O.A. is disposed of as above. In the circumstance no order as to costs.

Dated the 7th January, 2005.



H.P.DAS
ADMINISTRATIVE MEMBER



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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