

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No. 146/2003

Monday, this the 2nd day of June, 2003.

C O R A M

HON'BLE MR K.V.SACHIDANANDAN, JUDICIAL MEMBER

V.V. Jose,  
Section Engineer Electrical,  
Southern Railway,  
Ernakulam Marshalling Yard,  
residing at : Varakappillil House,  
East Maradu P.O., Muvattupuzha.


..Applicant.

[By Advocate Mr. T.C. Govindaswamy (rep.)]

Vs.

1. The Union of India represented by  
the General Manager,  
Southern Railway Headquarters office,  
Park Town P.O., Chennai - 3
2. The Chief Personnel Officer,  
Southern Railway Headquarters Office,  
Park Town P.O., Chennai - 3
3. The Additional Divisional Railway Manager,  
Southern Railway, Trivandrum Division,  
Trivandrum - 14
4. Shri Meghanathan,  
Senior Divisional Electrical Engineer,  
Southern Railway, Trivandrum Division,  
Trivandrum - 14
5. Southern Railway Mazdoor Union,  
Trivandrum Railway Divisional Office,  
Trivandrum, represented by its Secretary.
6. Shri C.R. Traveendran,  
Junior Engineer/I,  
Electrical Train Lighting,  
Southern Railway, Trivandrum Central,  
Trivandrum.
7. Shri O.J. Thankachan,  
Section Engineer Electrical,  
Southern Railway,  
Irumpanam Yard, Irumpanam.
8. The Senior Divisional Personnel Officer,  
Southern Railway, Trivandrum Division,  
Trivandrum - 14
9. The Senior Section Engineer/Electrical,  
Ernakulam Marshalling Yard, Southern Railway,  
Ernakulam.

..Respondents.



[By Advocate Mr. P. Haridas for R-1 to 3, 8 & 9 (rep.) and Mr. R. Ranjith for R-4]

The application having been heard on 2.6.2003, the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The applicant is working as Section Engineer Electrical (Group 'C') in Southern Railway at Ernakulam Marshalling Yard. He is aggrieved by the A/1 transfer order issued by the 8th respondent, the Senior Divisional Personnel Officer, Southern Railway, Trivandrum Division, Trivandrum. The applicant submitted that he had been subjected to transfer more than twice in earlier occasions. The O.A. is filed challenging the

- "(i) Call for the records leading to the issue of Annexure A/1 and quash the same to the extent it relates to the applicant.
- (ii) Direct the respondents to grant the consequential benefits thereof to the applicant.
- (iii) Award costs of and incidental to this application.
- (iv) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case."

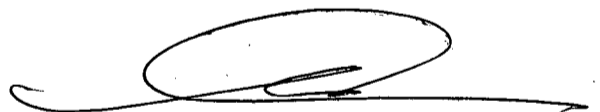
2. The respondents have filed a detailed reply statement denying the allegations made in the O.A. and submitted that the transfer order was issued in the best interest of the administration. Considering the efficiency and exigency, he was transferred from Ernakulam to Trivandrum.

3. When the case came up for hearing, learned counsel for the applicant submitted that the applicant would be satisfied if he is permitted to file a detailed representation to the second respondent with a direction to pass appropriate orders with due

application of mind within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

4. Considering the submissions made by the learned counsel for the parties, this Court deems fit that adopting such a course of action will meet the ends of justice. Therefore, the applicant is permitted to file a detailed comprehensive representation to the second respondent within ten days from the date of receipt of a copy of this order and if the representation is received within the given time, the second respondent shall consider the same and pass appropriate orders as expeditiously as possible, but in any case, within two months from the date of receipt of a copy of such representation and a copy of the order will be served on the applicant.

5. The Original Application is disposed of as above with no order as to costs. The order of status quo shall be maintained till disposal of the representation as aforesaid. However, in case the representation is not filed by the applicant within ten days in terms of the order, the interim order already granted stands automatically vacated.



(K.V. SACHIDANANDAN)  
JUDICIAL MEMBER

cvr.