

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

Original Application No.195 of 2013

Thursday this the 26<sup>th</sup> day of June, 2014

**C O R A M :**

**HON'BLE Mr.JUSTICE A.K.BASHEER, JUDICIAL MEMBER**

C.P.Prasad,  
S/o.P.K.Chandrasekharan Pillai,  
Sr. Section Engineer/Permanent Way/  
Palghat – Pollachi Section,  
(with headquarters at Podanur Junction)/Southern Railway.  
Permanent Address : Vineetham, Kottarkavu,  
Mavelikkara P.O., Alleppey District – 690 101.

...Applicant

(By Advocate Mr.T.C.Govindaswamy)

**V e r s u s**

1. Union of India represented by the General Manager,  
Southern Railway, Headquarters Office,  
Park Town P.O., Chennai – 600 003.
2. The Chief Track Engineer,  
Southern Railway, Headquarters Office,  
Park Town P.O., Chennai – 600 003.
3. The Chief Administrative Officer/Construction,  
Southern Railway, Egmore, Chennai – 600 008.
4. The Deputy Chief Personnel Officer/Construction,  
Southern Railway, Egmore, Chennai – 600 008.
5. The Chief Personnel Officer,  
Southern Railway, Headquarters Office,  
Park Town P.O., Chennai – 600 003.
6. N.Ajikumar,  
Junior Engineer, Pudukkad,  
SSE/Chalaky, Southern Railway,  
Trivandrum Division.

...Respondents

(By Advocates Mr.Thomas Mathew Nellimoottil [R1-5]  
& Mr.Martin G Thottan [R6])



2.

This application having been heard on 26<sup>th</sup> June 2014 this Tribunal on the same day delivered the following :-


**ORDER**

**HON'BLE Mr.JUSTICE A.K.BASHEER, JUDICIAL MEMBER**

Applicant, who is working in the grade of Senior Section Engineer under the Southern Railway, has filed this Original Application impugning his transfer to Construction Organization at Pollachi as though it was a request transfer. His grievance appears to be that he had never made a request for transfer to Pollachi. According to him, his request was for a transfer to Ernakulam-Alleppey-Kayamkulam Section. But the above request was not considered and he was transferred to Pollachi. Therefore, his contention is that he ought to be paid transfer grant and other consequential benefits treating the above transfer not as though as on request. He has got a further contention that the entire exercise itself was vitiated and illegal.

2. Anyhow, in view of certain subsequent developments the merit or demerit of any of the contentions need not be gone into at this stage. It is brought to my notice that the applicant has been granted transfer grant and other consequential benefits treating the above transfer as though on administrative ground.

3. Learned counsel for the applicant submits that a vacancy of Instructor in the Engineering Training School (Permanent Way) has now arisen at Quilon and that the applicant has submitted a request for a transfer against that vacancy as could be seen from Annexure MA-1




3.

produced by him along with M.A.No.618/2014. He submits that the applicant will be satisfied if a direction is issued to Respondent No.2 to consider the said request and take a decision thereon without any further delay.

4. In view of the above facts and circumstances, this Original Application is disposed of with a direction to Respondent No.2 to consider and pass appropriate orders on Annexure MA-1 request made by the applicant for transfer. This shall be done as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this order.

5. The Original Application is disposed of in the above terms.

(Dated this the 26<sup>th</sup> day of June 2014)

  
**JUSTICE A.K.BASHEER**  
**JUDICIAL MEMBER**

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