

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 244 of 2005

Wednesday, this the 6th day of April, 2005

CORAM

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

1. P.N. Thankachan, S/o P.K. Narayanan,
Station Master Grade II, Piravom Road,
Southern Railway, Mevallur PO, Kottayam
Residing at Puthenpurackal,
Peringalam PO, Kottayam. Applicant


[By Advocate Shri M.R. Hariraj]

Versus

1. Union of India represented by the
Secretary to Government of India,
Ministry of Railways, New Delhi.
2. The Divisional Railway Manager,
Trivandrum Division, Southern Railway,
Thiruvananthapuram.
3. The Senior Divisional Personnel Officer,
Trivandrum Division, Southern Railway,
Thiruvananthapuram.
4. V.C. Prakashan,
Station Master, Piravom Road Railway Station,
Mevallur PO, Kottayam. Respondents

[By Advocate Shri Sunil Jose (R1 to R3)]

The application having been heard on 6-4-2005, the
Tribunal on the same day delivered the following:-



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

The applicant, who is working as Station Master at Piravom Road Station of Southern Railway, registered a request for transfer within the Division to Vaikom Road/Kuruppamthara/Ettumanoor. The applicant averred that as per Annexure A2 dated 21-3-2005 the Senior Divisional Personnel Officer issued orders for transfer and posting of Station Masters, but the applicant was not transferred while those who did not register were transferred to Vaikom Road Station. The applicant made Annexure A3 representation dated 31-3-2005 requesting the Senior Divisional Personnel Officer to consider his request for transfer, which is also not yet replied to. Aggrieved by the said inaction, the applicant has filed this Original Application seeking the following reliefs:-


"i. Quash Annexure A2 to the extent it transfer respondent No.4 in preference to the applicant to Vaikom Road Station.

ii. Declare that applicant is eligible for transfer to Vaikom Road Station in preference to 4th respondent and to direct the respondents to consider the applicant for transfer to Vaikom Road in preference to 4th respondent.

iii. Grant such other reliefs as may be prayed for and the Court may deem fit to grant, and

iv. Grant the costs of this Original Application."

2. When the matter came up for hearing, Shri M.R. Hariraj, learned counsel appeared for the applicant and Shri Sunil Jose, learned counsel appeared for the official respondents.

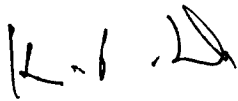


3. Learned counsel for the applicant submitted that the applicant will be satisfied if a direction is given to the 3rd respondent to consider and dispose of Annexure A3 representation dated 31-3-2005 within a time frame. Learned counsel for respondents submitted that he has no objection in adopting such a course of action.

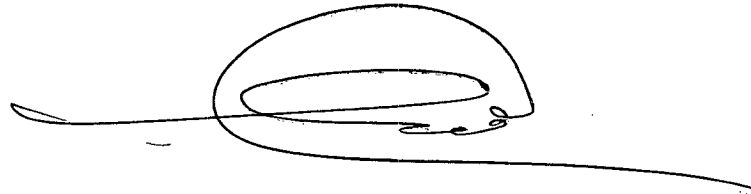
4. In the interest of justice, we direct the 3rd respondent to consider and dispose of Annexure A3 representation dated 31-3-2005 submitted by the applicant within a period of one month from the date of receipt of a copy of this order.

5. The Original Application is disposed of as above at the admission stage itself. In the circumstances, no order as to costs.

Wednesday, this the 6th day of April, 2005



H.P. DAS
ADMINISTRATIVE MEMBER



K.V. SACHIDANANDAN
JUDICIAL MEMBER

Ak.

