

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 265/98

Monday, this the 19th day of April, 1999.

CORAM:

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

1. C. Narayana Perumal,
S/o. Chithambara Vadivoo,
Residing at:
Sukkuparai Theriveelai
Agastheeswaran Post,
Kanyakumari District. Ex- Casual Labourer,
Southern Railway,
Trivandrum Division.
2. P. Kumaresan,
S/o. Pandaram,
Residing at:
Cheruppancode M.G.R. Colony,
Cavanamacadu Post,
Kanyakumari District. - do -
3. C. Mani,
S/o. Chellaiah,
Residing at:
Nettam Code M.G.R. Colony,
Caramcadu Post,
Kanyakumari District. - do -
4. A. Chenthil Perumal,
S/o. Arumugham,
Kumarapuram Thoppur Post,
Kanyakumari District. - do -

...Applicants

By Advocate Mr. T.C. Govindaswamy

Vs.

1. Union of India represented by
The Secretary to the Government of India,
Ministry of Railways,
Rail Bhavan,
New Delhi.
2. The General Manager,
Southern Railway,
Headquarters Office,
Park Town P.O.,
Madras - 3.
3. The Chief Personnel Officer,
Southern Railway,
Headquarters Office,
Park Town P.O.,
Madras - 3.
4. The Divisional Railway Manager(Personnel),
Southern Railway,
Chennai Division,
Chennai.

5. The Divisional Railway Manager,
Southern Railway,
Trivandrum Division,
Trivandrum - 14.
6. The Divisional Personnel Officer,
Southern Railway,
Trivandrum Division,
Trivandrum - 14.
7. The Assistant Personnel Officer,
Southern Railway,
Trivandrum Division,
Trivandrum - 14.
8. P. Venkatesan,
Gangman,
Office of the Section Engineer,
Permanent Way,
Southern Railway,
Alwaye.

...Respondents

By Advocate Mrs. Sumathi Dandapani

The application having been heard on 19.4.99, the Tribunal on the same day delivered the following:

ORDER

The applicants seek to quash A-2 to A-5, to declare that the appointment in Trivandrum Division of the dependants/relatives of the employees of Madras/other divisions, on compassionate grounds in preference to the retrenched casual labourers like the applicants is arbitrary, discriminatory and unconstitutional. and to direct the respondents to consider the applicants for re-engagement/absorption against Group 'D' posts in preference to outsiders with consequential benefits thereof.

2. When the O.A. was taken up for hearing, the learned counsel appearing for the applicants submitted that it is suffice to permit the applicants to submit a joint representation to the second respondent for redressal of their grievance. The learned counsel appearing for the respondents submitted that there is no objection in granting such permission.

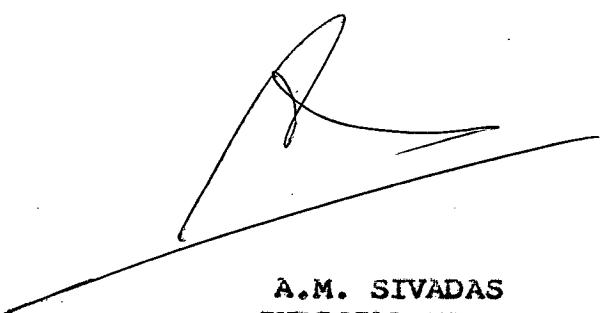
3. Accordingly, the applicants are permitted to submit a joint representation to the second respondent within three weeks from today. If such a representation is received, the second

respondent shall consider the same and pass a speaking order within four months from the date of the receipt of the same.

4. Interim order dated 19.3.98 shall remain in force till the disposal of the representation.

5. O.A. is disposed of as above. No costs.

Dated the 19th day of April, 1999.



A.M. SIVADAS
JUDICIAL MEMBER

nv
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LIST OF ANNEXURES REFERRED TO IN THE ORDER

1. Annexure A-2: True copy of the Order No. V/P 268/I/Comp. Appt./Vol II of 31.12.97 issued by the 7th respondent.
2. Annexure A-3: True copy of the Order No. M/PB/CS/22 of 13.11.97 issued by the 4th respondent.
3. Annexure A-4: True copy of the Order No. M/PB/CS/22/ Gr. 'D' dated 20.11.97 issued by the 4th respondent.
4. Annexure A-5: True copy of the Order No. M/PB/CS/22/ Gr. D dated 19.12.1997 issued by the 4th respondent.