

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.274/2003.

Wednesday this the 2nd day of April 2003.

CORAM:

HON'BLE MR.T.N.T NAYAR, ADMINISTRATIVE MEMBER  
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

K.Rathinam,  
Travelling Ticket Examiner,  
Sleeper/Coimbatore, Railways,  
residing at No.54, Maruthi Illam,  
Bharath Nagar, Poddanur, Coimbatore Dt.

Applicant

(By Advocate Shri.T.C.Govindaswamy)

Vs.

1. Union of India represented by  
the General Manager,  
Southern Railway, Park Town P.O.,  
Chennai-3.
2. The Chief Personnel Officer,  
Southern Railway,  
Park Town P.O., Chennai-3.
3. The Divisional Personnel Officer,  
Southern Railway, Palghat Division,  
Palghat.
4. The Chief Commercial Manager,  
Southern Railway,  
Park Town P.O., Chennai-3.

Respondents

(By Advocate Shri P.Haridas)

The application having been heard on 2nd April, 2003,  
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.T.N.T. NAYAR, ADMINISTRATIVE MEMBER

The applicant, who is working as Travelling Ticket Examiner (TTE), Sleeper, Southern Railway at Coimbatore Junction falling under the Palghat Division, is aggrieved against A-1 order transferring him from Palghat Division to Tiruchirappally (TPJ) Division on the same pay scale on administrative grounds. According to the applicant transfer from one division to another, if at all made, has to be ordered by the General Manager or the

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Chief Commercial Manager. In this case, however, the impugned A-1 order of transfer is issued by the Divisional Personnel Officer, Palghat Division. The applicant states that he has made A-5 representation dated 10.3.2003 to the 2nd respondent highlighting the relevant facts and seeking retention. He has not however, been relieved.

2. When the matter came up for hearing for admission, Shri TC Govindaswamy, learned counsel for the applicant would submit that since the applicant has made a detailed representation (A5), the purpose of the O.A. would be served if the representation is disposed of by the 2nd respondent on the basis of the provisions under Indian Railway Establishment Code and other relevant instructions.

3. Shri P. Haridas, learned Standing counsel for the Railways takes notice for the respondents and he would agree in fairness that the representation preferred by the applicant can be considered and appropriate orders passed within a time frame, if it is directed by the Tribunal.

4. On the basis of the above submissions made by the learned counsel on either side, we consider it appropriate to dispose of this O.A. by directing the 2nd respondent or such other competent authority as the former may direct, to dispose of A-5 representation made by the applicant having due regard to the rules and also the special facts in the representation.

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5. Accordingly, the 2nd respondent is directed to cause the representation to be disposed of and a speaking order issued to the applicant within a period of two months from the date of receipt of a copy of this order.

6. Respondents shall not shift the applicant in pursuance of A-1 impugned order till such time that the representation(A5) is disposed of as directed above.

7. Application is disposed of as above. There is no order as to costs.

Dated the 2nd April, 2003.



K.V.SACHIDANANDAN  
JUDICIAL MEMBER

T.N.T.NAYAR  
ADMINISTRATIVE MEMBER

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