

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.NO.277/2002

Friday, this the 3rd day of May, 2002.

CORAM;

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

1. N.Chokkalingam,  
Diesel Assistant, Southern Railway,  
Erode.
2. M.Karthikeyan,  
Diesel Assistant,  
Southern Railway,  
Erode.
3. K.Rathinam,  
Diesel Assistant,  
Southern Railway,  
Erode.
4. A.Balasubramanian,  
Diesel Assistant,  
Southern Railway,  
Erode.
5. V.Chockalingam,  
Diesel Assistant,  
Southern Railway,  
Erode.
6. A.Sam Selvaraj,  
Diesel Assistant,  
Southern Railway,  
Erode.
7. R.Ganesan,  
Diesel Assistant,  
Southern Railway,  
Erode.

- Applicants

By Advocate Mr TC Govindaswamy

Vs

1. Union of India rep. by  
the General Manager,  
Southern Railway,  
Headquarters Office,  
Park Town.P.O.  
Chennai-3.

2. The Divisional Railway Manager,  
Southern Railway,  
Palghat Division,  
Palghat.
3. The Divisional Personnel Officer,  
Southern Railway,  
Palghat Division,  
Palghat.
4. The Divisional Personnel Officer,  
Southern Railway, Madurai Division,  
Madurai.
5. The Chief Personnel Officer,  
Southern Railway,  
Headquarters Office,  
Park Town.P.O.  
Chennai-3.

- Respondents

By Advocate Mrs Sumathi Dandapani

The application having been heard on 3.5.2002 the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicants who are presently working as Diesel Assistants in Palghat Division, are aggrieved that the Railway Administration is filling up the post of Diesel Assistants in Madurai Division by direct recruitment without considerin their request for inter-Divisional transfer to Madurai Division. In this application, the applicants have prayed for the following reliefs:

(a) Declare that the nonfeasance on the part of the respondents in considering the applicants for inter-Divisional transfer and appointment as Diesel Assistants in Madurai Division of Southern Railway is arbitrary, discriminatory and unconstitutional.

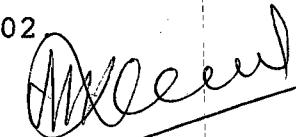
✓

(b) Direct the respondents to consider Annexure-A4 and also to initiate further action to transfer and appoint the applicants as Diesel Assistants of Southern Railway, Madurai Division in preference to any form of direct recruitment.

2. When the application came up for hearing today, learned counsel of the applicants stated that the applicants would be satisfied if the applicants are permitted to make a consolidated representation to the 5th respondent and if the 5th respondent is directed to consider and dispose of the representation within a short time. Learned counsel of the respondents have no objection in the application being disposed of in the manner as suggested by the learned counsel of the applicants.

3. In the light of the submissions made by the learned counsel on either side, the application is disposed of without going into the merits of the case, permitting the applicants to make a consolidated representation to the 5th respondent within 15 days and directing the 5th respondent that if such a representation is received, the same shall be considered and an appropriate reply given within a month thereafter. There is no order as to costs.

Dated, the 3rd May, 2002



A.V.HARIDASAN  
VICE CHAIRMAN

## APPENDIX

### APPLICANTS ANNEXURES

- 1.A1: A true copy of the office order No.40/VI/M/2000 dated 26.6.2000 issued by the 4th respondent.
- 2.A2: A true copy of the office order No.T.56/2000 dated 29.5.2000 issued by on behalf of the 5th respondent.
- 3.A3: A true copy of the office order No.59/VI/MT/2001 dated 27.7.2001 issued by the 4th respondent.
- 4.A4: A true copy of the representation dated 15.8.2001 submitted by the addressed to the 5th respondent.

\*\*\*\*\*