

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.333/2003

Thursday, this the 17th day of April, 2003.

C O R A M

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

M.Balashanmugham  
Travelling Ticket Examiner, (Sleeper)  
Southern Railway  
Residing at :  
Anandha Bhawan  
Chembaravalappil House,  
M.G.Road, Shornur

: Applicant

[By Advocate Mr.T.C.Govindaswamy ]

Vs.

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

[By Advocate Mr.P.Haridas]

The application having been heard on 17.04.2003, the  
Tribunal on the same day delivered the following :

O R D E R

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

The applicant is working as a Travelling Ticket Examiner /  
Sleeper, Southen Railway, Shornur. The applicant is aggrieved by  
an office order dated 24.3.2003 issued by the third respondent  
transferring the applicant on 'periodical transfer' to Erode/  
Sleeper overlooking his priority to Palghat. His grievance is  
that while the case of others were considered, the applicant

alone has been discriminated leaving with substantial difficulty and hardship. Therefore, the applicant has filed this Original Application.

2. When the matter came up for hearing, Shri T.C.Govindaswamy learned counsel appeared for the applicant and Shri P.Haridas, learned counsel puts his appearance for the respondents.

3. Learned counsel for applicant submitted that he will be satisfied if the 2nd respondent is directed to dispose of Annexure A-4 representation dated 31.03.2003 within a time frame. Learned counsel for respondents submitted that he is not aware whether such a representation is received by the respondents at all and if a comprehensive representation with all service documents is directed to be filed, the respondents could consider the case of the applicant with reference to rules, regulations and as per law. Considering the submissions made by the learned counsel, this Court is of the view that if such a course of action is taken it will meet the end of justice. Therefore, this Court directs that the applicant may file a comprehensive representation to the 2nd respondent within two weeks from today and if such a representation is received by the 2nd respondent, he shall dispose of the same as expeditiously as possible, in any case, within two months from the date of receipt of a copy of this order with reference to rules and regulations. Counsel for applicant submitted that the applicant has got only three years of service left for retirement and therefore his case be considered with reference to that aspect and retain at Palghat as still there is a vacancy at Palghat. In this context, this Court

: 3 :

is not expressing any views on merit but direct the respondents to look into this aspect also while disposing of the representation as above.

4. In the interest of justice, this Court directs that the interim order passed on 16.04.2003 shall be maintained till the disposal of the representation of the applicant.

The Original Application is disposed of as above with no order as to costs.

Dated, the 17th April, 2003.



K.V.SACHIDANANDAN  
JUDICIAL MEMBER

vs