

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the 2nd day of March Two Thousand And Eighteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A./310/00301/2018

D. Erudayanathan,
S/o. V.A. Dass,
Aged about 54 years,
Residing at No.468/B,
Pananthope Railway Colony,
1 Street, Ayanavaram,
Chennai- 600 023.

.....Applicant

(By Advocate : M/s. Giridhar & Sai)

VS.

1. Union of India Rep. by the
General Manager,
Southern Railway,
Park Town,
Chennai- 600 003;
2. The Chairman,
Railway Board,
Federation of Railway Officer's Association Office,
256-A, Rail Bhavan, Raisina Road,
New Delhi- 110 001;
3. The Chief Project Director,
Railway Electrification,
Egmore,
Chennai- 600 008;
4. The Chief Project Manager,
Railway Electrification,
Egmore, Chennai- 600 008. Respondents

(By Advocate: Mr. P. Srinivasan)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

Heard. This O.A has been filed by the applicant seeking to direct the 1st and 2nd Respondents to consider and pass orders on applicant's representations dated 07.04.2017 and 26.12.2017 to permit him to voluntarily retire from service upon appointment of his son to any suitable post on compassionate basis under LARSGESS with all consequential benefits.

2. Heard. Learned counsel for the applicant submits that applicant was initially appointed as Casual Labourer in Railway Electrification project and was granted temporary status on 31.03.1984. Thereafter, he was appointed to regular post of Khalasi w.e.f. 16.07.1991. During the year 1991, he was transferred to Railway Electrification Unit, Egmore, Chennai by retaining his lien at Electrical Shed, Arakkonam and was promoted as Khalasi Helper on 05.08.1993.

3. The applicant submitted an application seeking to permit him to retire voluntarily under the LARSGESS and appoint his son, Mr. David Garbriel E to any suitable post on compassionate basis. Though his son was directed to attend a medical examination during the year 2015 which he cleared, the applicant's application under LARSGESS was not processed. On enquiry, he was informed that Railway Electrification did not come under safety category. It is stated by the applicant that several similarly placed persons who worked in Railway Electrification Unit and applied under LARSGESS were granted the benefits of the scheme.

4. It is submitted that the 3rd Respondent had sent a communication addressed to the Chief Personnel Officer to take action to extend the benefit of LARSGESS to persons working in Railway Electrification Unit. The applicant also submitted representations dated 07.04.2017 and 26.12.2017 to the 1st and 2nd respondents to extend the benefit of LARSGESS to him as was allegedly done in the cases of several similarly placed employees. However, till date there has been no response. Hence the instant O.A. has been filed seeking the aforesaid relief.

5. Learned counsel for the applicant further submits that applicant would be satisfied if the respondents are directed to dispose of her Annexure-A14 representation dated 26.12.2017 within a time limit to be set by the Tribunal.

6. Mr. P. Srinivasan, Learned Standing Counsel who takes notice for the respondents, has no objection to the above prayer.

7. On perusal, it is seen that applicant had sought voluntary retirement under LARSGESS which according to an affidavit submitted by the respondents in another O.A., had been put on hold following Court Orders that its constitutional validity was suspect. Respondents are, therefore, directed to dispose of the Annexure -A14 representation dated 26.12.2017 in the light of the current status of the LARSGESS and inform the applicant within a period of three weeks from the date of receipt of copy of the order.

8. The O.A. is disposed of in the above terms. No costs.

(R. RAMANUJAM)
MEMBER(A)

asvs.

2.3.2018