

**Central Administrative Tribunal
Madras Bench**

MA/310/00790/2017 & MA/310/00791/2017 (in)(&) OA/310/00251/2014

Dated Friday the 31st day of August Two Thousand Eighteen

P R E S E N T
Hon'ble Mr. R.Ramanujam, Member(A)
&
Hon'ble Mr.P.Madhavan, Member(J)

S.Sukumaran
Station Master
Southern Railway,
Kilkadayan,
Tirunelveli District. .. Applicant
By Advocate **M/s.S.S.Jothivani**

Vs.

1. The Divisional Personnel Officer,
Southern Railway,
Madurai Division,
Madurai.
2. The Additional Divisional Railway Manager,
(Estate Officer), Southern Railway,
Divisional Office,
Madurai. .. Respondents

By Advocate **Mr.P. Srinivasan**

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

Heard. The applicant has filed this OA seeking the following reliefs:-

“a. to call for the records pertaining to the order dated 30.7.2012, having Ref.No.U/P/555/non-vacation-RN passed by the 1st respondent to the applicant and quash the same and consequently direct the respondents to repay the penal rent recovered from the salary of the applicant

b. Pass such further or other orders as this Tribunal may deem fit and proper in the circumstances of the case and thus render justice.”

2. It is submitted that the applicant was aggrieved by Annexure A7 impugned order dated 30.7.2012 by which he had been allowed only two months retention of Railway quarters allotted to him at Tirunelveli after his transfer to Tenkasi. He made Annexure A9 representation dated 03.4.2013 seeking waiver of the “damage rent” raised by DPO, Madurai and refund of the “damage rent” recovered from the applicant till then. However, the authorities never took a decision on the same. Aggrieved by the inaction of the respondents, the applicant filed this OA.

3. On perusal, it is seen that the OA had been dismissed for non-prosecution on 05.2.2015 and, thereafter, an application was filed for restoration on 18.8.2017 alongwith a MA for condonation of delay in seeking restoration. So far no reply has been filed by the respondents to the OA or even to the MA seeking restoration.

4. In the above circumstances, we are of the view that the OA could be disposed with a direction to the respondents to consider Annexure A9 representation of the

applicant dated 03.4.2013 in accordance with the relevant rules and pass a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order. Competent authority directed accordingly.

5. MAs for condonation of delay/restoration stands disposed of in the light of this order. No costs.

(P.Madhavan)
Member(J)

(R.Ramanujam)
Member(A)

31.8.2018

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