

**Central Administrative Tribunal  
Madras Bench**

**OA/310/00767/2018 & MA 310/00302/2018**

**Dated Monday the 25<sup>th</sup> day of June Two Thousand Eighteen**

**P R E S E N T**

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

A. Balamurugan  
Assistant Loco Pilot  
Madurai.

.. Applicant

By Advocate **M/s. R. Pandian**

**Vs.**

1. Union of India rep. by  
The General Manager  
Southern Railway  
Park Town, Chennai – 600 003.

2. The Chief Personnel Officer  
Southern Railway  
Park Town  
Chennai 600 003.

3. The Divisional Personnel Officer  
Southern Railway  
Madurai Division  
Madurai – 625 010.

4. The Divisional Personnel Officer  
Southern Railway  
Tiruchchirappalli Division  
Tiruchchirappalli – 620 001.

.. Respondents

By Advocate **Mr. P. Srinivasan**

### **ORAL ORDER**

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

Heard. MA 302/2018 filed for condoning delay of 218 days in filing the OA is allowed.

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

“To call for the records relating to the Inter-Divisional Railway One Way Request Transfer of the applicant from Tiruchirappalli Division to Madurai Division of Southern Railway and the consequent fixation of seniority vide the impugned order in No. U/9.676/VI/Mechl. Rg. Dated 14.11.2016, to quash the impugned order and further:

i. To direct the 3<sup>rd</sup> respondent to re-cast the seniority list of the cadre of Assistant Loco Pilots, by placing the applicant, whose Inter-Railway One Way Request Transfer was approved by the Competent authority on 14.05.2015 above Mr. Mahendra Kumar Meena (Sl. No. 21) who joined the seniority unit on 19.11.2015 through Railway Recruitment Board

ii. to pass such other order/orders”

3. The grievance of the applicant is that his seniority had been fixed based on the date of joining the Madurai Division whereas it should have been fixed based on the date of approval by the competent authority for transfer i.e. on 14.05.2015. This is against the dictum laid down by Hon'ble High Court of Madras in WP No. 8131/2008 (confirming the order of this Tribunal in OA 832/2005), it is alleged. It is submitted Annexure A9 representation of the applicant to the competent authority is still pending and, therefore, that the applicant would be satisfied, if the

respondents are directed to consider the representation within a time limit to be stipulated by the Tribunal.

4. Mr. P. Srinivasan takes notice for the respondents.

5. Keeping in view the limited relief sought and without going into the substantive merits, I deem it appropriate to direct the respondents to consider Annexure A9 representation of the applicant dated 22.12.2016 in accordance with law and pass a reasoned order within a period of two months from the date of receipt of copy of this order.

6. OA is disposed of at the admission stage.

(R.Ramanujam)  
Member(A)  
25.06.2018

AS