

**Central Administrative Tribunal  
Madras Bench**

**OA/310/01153/2018**

**Dated Thursday the 30<sup>th</sup> 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)**

Thota T.Sivakumar  
Senior Section Engineer/P.Way,  
Chennai Egmore, Construction Wing,  
Southern Railway .. Applicant  
By Advocate **M/s.Ratio Legis**

**Vs.**

1. Union of India, rep by  
The General Manager,  
Southern Railway,  
Park Town, Chennai 600 003.
2. The Chief Engineer,  
Southern Railway/S&RB/Egmore,  
Construction Wing,  
Chennai 600 008.
3. The Deputy Chief Engineer,  
Southern Railway/Egmore,  
Construction Wing,  
Chennai 600 008. .. 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 relief:-

“to call for the records related to Impugned order P.227/I/CN/TS/MAS dated 19.7.2018 passed by the 2<sup>nd</sup> respondent and to quash the same and to pass such other order/orders as this Tribunal may deem fit and proper and thus to render justice.”

2. It is submitted that the applicant was convicted by the Principle Special Judge for CBI cases, VIII Additional City Civil Court, Chennai on 20.4.2018 and sentenced to undergo rigorous imprisonment for 2 years. Following the conviction, the respondents issued Annexure A3 show-cause notice dated 19.7.2018 to which Annexure A4 reply dated 02.8.2018 was submitted. In the meantime, the applicant had filed an Appeal to the Hon'ble High Court of Madras against the conviction and the sentence had been suspended by an interim order dated 25.4.2018. Accordingly, the applicant would be satisfied if the authorities are directed to consider the points raised in the Annexure A4 reply submitted by the applicant before taking any decision regarding the penalty proposed.

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

4. Keeping in view the limited relief sought and the fact that no final order has been passed in the matter, we are of the view that this OA could be disposed of with a direction to the respondents to take a decision on Annexure A4 reply of the applicant dated 02.8.2018 in accordance with law.

5. OA is disposed of with the above direction at the admission stage.

(P.Madhavan)  
Member(J)

30.8.2018

(R.Ramanujam)  
Member(A)

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