

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00722/2018

Dated Monday the 18th day of June Two Thousand Eighteen

PRESENT

HON'BLE SMT. B. BHAMATHI, Member (A)

Vijayakumar R.
Assistant Loco Pilot,
Madurai.

....Applicant

By Advocate M/s. R. Pandian

Vs

Union of India rep by,

1.The General Manager,
Southern Railway,
Park Town,
Chennai 600003.

2.The Chief Personnel Officer,
Southern Railway,
Park Town,
Chennai 600003.

3.The Divisional Personnel Officer,
Southern Railway,
Madurai Division,
Madurai 625010.

4.The Chief Personnel Officer,
South Western Railway,
Gadag Road,
Hubli 580020.

....Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER

(Pronounced by Hon'ble Smt. B. Bhamathi, Member(A))

Heard the learned counsel for applicant. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“To call for the records relating to the Inter Railway One Way Transfer of the applicant from Hubli Division of South Western Railway to Madurai Division of Southern Railway and the consequent fixation of seniority vide the impugned order in No. U/P.676/VI/Mechl.Rg. Dated 14.11.2016, to quash the impugned order and further:

I. To direct the 3rd 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 16.09.2015, below Mr. N. Senguttvan (Sl. No. 20) who joined the seniority unit on 09.09.2015 and above Mr. Mahendra Kumar Meena (Sl. No. 21) who joined the seniority unit on 19.11.2015 and

II. To pass such other order / orders as thi Hon'ble Tribunal may deem fit and proper and thus to render justice.”

2. It is submitted that the applicant who joined Hubli Division of South Western Railway as Asst. Loco Pilot in the year 2004. He requested for One Way Inter Railway Transfer to Madurai Division of Southern Railway during the year 2005. After nearly 10 years, the request was approved by the 2nd respondent on 31.03.2015 and further approved by the 4th respondent on 16.09.2015. He was relieved on 27.06.2016 from Hubli Division. He is aggrieved by the impugned seniority list dated 14.11.2016 in which he has been assigned seniority with reference from the date when he joined the Madurai Division ie., 29.06.2016. He made a detailed representation on 27.08.2016 for revision of his position in the seniority list. He made further

representation on 08.12.2016. The said representations are still pending for consideration. Learned counsel for applicant submits that the applicant would be satisfied if the 3rd respondent is directed to consider the representations within a time limit to be stipulated by this Tribunal.

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

4. To meet the ends of justice and without going into the merits of the case, I deem it appropriate to direct the 3rd respondent to consider the representations of the applicant dated 27.08.2016 and 08.12.2016 in accordance with law and as per rules and pass a reasoned and speaking order thereon within a period of 12 weeks from the date of receipt of certified copy of this order.

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

(B. Bhamathi)
Member(A)
18.06.2018

SKSI