

**Central Administrative Tribunal
Madras Bench**

MA/310/00049/2018 (in)(&) OA/310/00085/2018

Dated Thursday the 25th day of January Two Thousand Eighteen

P R E S E N T

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

1. S.Kanthan
2. A.Aruvel Raj
3. K.T.Kamalanathan
4. A.Muthumari
5. P.Karthik
6. P.Thanga Mariappan
7. S.Nagalingeswaran
8. M.Partha Sarathy
9. V.Abilash Chandrasekar
- 10.B.Jebin Bose
- 11.I.Karuppasamy
- 12.A.Arulraj
- 13.A.Ayyasamy
- 14.Y.Arun Kumar
- 15.B.Saravanan
- 16.K.Purushothama Raja
- 17.D.Barathan
- 18.K.Harikrishnan
- 19.G.Vignesh
- 20.R.Mathan
- 21.P.Jebakumar
- 22.M.Prabhu
- 23.G.Mariganesh

.. Applicant

By Advocate **Mr.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, Salem Division,
Salem.
4. The Divisional Personnel Officer,

- Southern Railway, Madurai Division,
Madurai.
5. The Assistant Personnel Officer/M&E,
Southern Railway, Madurai Division,
Madurai.
 6. Ganesamoorthy D,
Sweeper-cum-Porter,
Madurai Junction Railway Station,
Madurai.
 7. Sunil Bastin S,
Sweeper-cum-Porter,
Tamaraipadi Railway Station.
 8. Santhalingam R,
Sweeper-cum-Porter,
Pamba Kovil Shandy Railway Station.
 9. Rajakumar R,
Track Maintainer-Gr.IV,
Manamadurai Junction Railway Station.
 10. Pandik Kannan,
Track Maintainer-Gr.IV,
Virudhunagar Junction Railway Station.
 11. Sunil Kumar,
Track Maintainer-Gr.IV,
Walaja Road Railway Station.
 12. Ram Amodh Ray,
Track Maintainer-Gr.IV,
Walaja Road Railway Station.
 13. Regunathan A,
Track Maintainer-Gr.IV,
Virudhunagar Junction Railway Station.
 14. Muthulingam T,
Track Maintainer-Gr.IV,
Arumuganeri Railway Station.
 15. Bhuvaneshwaran M,
Sweeper-cum-Porter,
Tamaraipadi Railway Station.
 16. Srikant Kumar,
Helper,
Carriage & Wagon Work Shop,
Perambur, Chennai.
 17. Pintu Kumar,
Safaiwala,
Railway Hospital,
Perambur, Chennai.
- .. Respondents

By Advocate **Mr.P.Srinivasan**

ORAL ORDER

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

MA for joining the applicants together and filing a single application is allowed.

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

“to call for the records relating to the Inter-Divisional One Way Request Transfer of the applicants from Salem Division to Madurai Division and further

to direct the 3rd respondent to relieve the applicants forthwith;

to the direct the 4th respondent to absorb the applicants as Assistant Loco Pilots before absorbing any General Departmental Competitive Examination (GDCE) candidates or any other Directly Recruitment Open Market candidates, whose selection process is finalised later to registering/approving the Inter-Divisional One Way Transfer requests of the applicants;

consequently to assign seniority to the applicants next to the existing permanent/officiating employees in the seniority unit for Assistant Loco Pilots in PB-1 with GP 1900 in Madurai Division of Southern Railway, as on the date of the order approving/registering the request of the applicants for Inter-Divisional One Way Transfer, duly maintaining inter-se seniority with such other similarly placed persons; and

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

3. Heard. Learned counsel for the applicant submits that the applicants had requested for Inter-Divisional Transfer from Salem to Madurai and their request had been accepted by the competent authority by Annexure A2 letter dated 05.06.2017. Even after such acceptance, the transfer orders had not been issued on the pretext that there were no vacancies in the divisions concerned. On the other hand, the respondent's office are going ahead to fill up the vacancies in those very divisions through a General Departmental Competitive Examination (GDCE). Such recruitment ahead of the actual transfer of the applicants would affect their seniority

and, therefore, the applicants wished to be transferred with immediate effect and granted seniority above the persons who would be recruited through the said examination.

4. On perusal, it is seen that the applicants had made Annexure A3 representation dated 10.6.2017 followed by Annexure A5 representation dated 03.11.2017 regarding their grievance. It is submitted that the representations are still pending.

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

6. As the representations of the applicants have not yet been decided, I am of the view that the ends of justice would be met in this case if the respondents are directed to consider the representations in accordance with rules and pass a speaking order within a period of six weeks from the date of receipt of a copy of this order. The competent authority is directed accordingly.

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

(R.Ramanujam)
Member(A)
25.01.2018

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