

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**OA/310/00228/2018**

**Dated Wednesday the 28<sup>th</sup> day of February Two Thousand Eighteen**

**PRESENT**

**HON'BLE MR. R. RAMANUJAM, Member (A)**

P.V.Thangaraj,  
Retd. Staff Car Driver, Grade I,  
No. B/I, Kamatchi Nagar,  
Sekar Nagar, New Perungalathur,  
Chennai 600063. ....Applicant

By Advocate M/s. Ratio Legis

Vs

- 1.Union of India rep by,  
The General Manager,  
Southern Railway,  
Park Town, Chennai 3.
- 2.The Sr. Divisional Personnel Officer,  
Chennai Division,  
Southern Railway,  
Chennai. ....Respondents

By Advocate Mr. P. Srinivasan

**ORAL ORDER**

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

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

“To call for the records related to the impugned order No. M/P3/500/Settle dated 00/12/2017 and further to direct the respondents to treat the entire period from 01.09.1979 till 03.04.1992 in full as qualifying service for the purpose of pension and thereby to revise the retirement benefits and to pay all the consequential arrears with admissible interest and to pass such other order / orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice.”

2. Learned counsel for the applicant submits that the applicant is aggrieved by the rejection of his representation dt. 29.11.2017 by which his qualifying service had allegedly been determined in accordance with rule 31 of the Railway Services (Pension) Rules, 1993. Accordingly, he was informed that only 50 % of the CPC service was to be taken into account for calculating his pensionary benefits and the order required no revision. It is submitted that the applicant is a Class IV employee and in his representation, he was not able to argue out his case for counting of full services. It is alleged that the rejection of the applicant's representation for counting for full services was based on a wrong premise and a misapplication of the relevant rule.

3. Learned counsel for the applicant further submits that the applicant would be satisfied if the facts brought out by him in this OA are taken into account and the respondents directed to pass a speaking order, treating it as a representation by the applicant to the competent authority.

4. Mr. P. Srinivasan takes notice for the respondents.
5. Keeping in view the limited prayer, I am of the view that this OA could be disposed of with the following direction:  
  
“The respondents shall consider the alleged facts and grounds stated in this OA, treating it as a representation from the applicant and pass a reasoned and speaking order thereon within a period of two months from the date of receipt of a copy of this order”.
6. OA is disposed of with the above direction at the admission stage.

**(R. Ramanujam)**  
**Member(A)**  
**28.02.2018**

SKSI