

**Central Administrative Tribunal
Madras Bench**

OA 310/01587/2018

Dated Monday the 3rd day of December Two Thousand Eighteen

P R E S E N T

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

J. Mathalai Muthu Selvaraj Thathayu
No. 33, Samiyar Thottam
Dindigul 624 003.

.. Applicant

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

Vs.

1. The Chief Personnel Officer
Southern Railway
Head Quarters Office
Personal Branch
Chennai – 600 003.

2. The Divisional Personal Officer
Southern Railway
Divisional Office, Madurai.

3. The Secretary
Railway Institute
Railway Colony
Dindigul 624 005.

.. 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 direct the respondents to absorb the applicant in group “D” post on the railway service with all service and monetary benefits and pass such further or other orders”

2. It is submitted that the applicant had joined as an Attender in the 3rd respondent office on 03.07.1992 at a consolidated pay of Rs. 300/- p.m. He was allegedly entitled to permanent absorption in terms of the Railway Board letter dated 26.08.1977. The applicant was recommended for absorption by the 3rd respondent by a letter sent to the 2nd respondent on 06.01.2000. However, the 3rd respondent passed no orders thereon. Years thereafter, the first respondent by a letter dated 02.04.2014 had directed that one S&WI may be deputed to get the mark sheet of 8th standard of the applicant duly attested by the Principal/Headmaster as evidence that he had passed 8th standard since record sheet showed that he was only promoted. Further, the veracity of the mark sheet/certificate may also be got verified.

3. The applicant submitted Annexure A11 letter dated 28.08.2014 in the above context pointing out that the school from which he passed 8th standard is now not functioning and he had not obtained the mark list of 8th standard. He also

submitted that in order to get a valid certificate, he had joined in National Institute of Open Schooling Gadhigram to obtain a certificate equivalent to 10th standard. He made a further representation for regularisation by a letter dated 24.04.2018 at Annexure A13.

4. Learned counsel for the applicant would submit that the applicant would be satisfied if the authorities are directed to consider his representation and pass a reasoned and speaking order within a time limit to be set by the Tribunal.

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

6. Keeping in view the limited relief sought and without going into the substantive merits of the case, I deem it appropriate to direct the respondents to consider Annexure A13 representation of the applicant dated 24.04.2018 in accordance with law and the facts of his case and pass a reasoned and speaking order within a period of three months from the date of receipt of copy of this order.

7. OA is disposed of at the admission stage.

(R. Ramanujam)
Member(A)

AS