

**Central Administrative Tribunal
Madras Bench**

MA/310/00403/2019 (in)(&) OA/310/01015/2019

Dated the 26th Day of August Two Thousand Nineteen

P R E S E N T

**Hon'ble Mr. P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)**

1. N.Dayalan

2. M.Asaithambi

.. Applicants

By Advocate **M/s.P.Suresh**

Vs.

1. Union of India, rep by its
General Manager,
Southern Railway,
Park Town, Chennai-3.

2. Chief Personal Officer,
Southern Railway,
Park Town, Chennai-3.

3. Appellate Authority/DRM-II,
Park Town, Chennai-3.

4. Asst. Personal Officer,
NGO Annex Building,
Southern Railway,
Park Town, Chennai-3.

.. Respondents

ORDER

[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

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

2. This is an OA filed seeking the following relief:-

“to call for the records relating to the redressal applications sent by the 1st applicant dated 11.9.2018, 11.8.2018 and 07.6.2018 and (Annexure A2, A3 & A4), and 2nd applicant dated 24.2.2018, 18.1.2018 and 15.12.2017 (Annexure A5, A6 & A&) to the office of the respondents and direct the respondents to advance the conferment of temporary status to the applicants from their respective dates and consequently revise all the benefits including their pay, promotion and retirement benefits and to pay the arrears .”

3. We have heard the applicants. Though the counsel for the applicants could not present the matter in a proper manner, what we could gather from the pleadings is that the applicants herein were not given temporary status eventhough they had worked as casual labourers for more than 120 days without break in service from their initial date of engagement.

4. On a perusal of the application, we find that Annexure A2 and A5 representations were given to the 2nd respondent but no reply was given by the respondent till now. From what we can gather from the submissions of the counsel for the applicants is that the applicants seeks the benefit granted to Shri S.Thirunavukarasu v. UOI & Others (WP 8972/2006) dated 14.7.09. It seems that the the applicants will be satisfied if a speaking order is passed by the respondents on the

Annexure A2 and A5 representation as regards their entitlement to be granted “Temporary Status”.

5. Accordingly, we hereby direct the respondents to consider the Annexure A2 and A5 representations submitted by the applicants in accordance with law and as per rules and in the light of the decision of the Hon'ble Madras High Court in WP 8972/2006 Shri S.Thirunavukarasu v. UOI & Others dated 14.7.09 within a period of six months from the date of receipt of a copy of this order.

6. OA is disposed off without going into the merits at the admission stage.

(T.Jacob)
Member(A)

(P.Madhavan)
Member(J)

26.08.2019

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