

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00775/2019

Dated Monday the 24th day of June Two Thousand Nineteen

**CORAM: HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

K. Ayyappan
Office Supdt.,
Working under office of ADEN/TEN
Madurai Division
Southern Railway.

.... Applicant

By Advocate M/s Ratio Legis

Vs

1. Union of India rep. by
The General Manager
Southern Railway
Park Town, Chennai.

2. The Sr. Divisional Personnel Officer
Southern Railway
Madurai 625 010.

... Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER

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

Heard. The applicant has filed this OA seeking the following relief :

"To call for the records related to the impugned order of transfer Office Order No. 67/2019 dated 12.06.2019 passed by the respondents and to quash the same declaring the transfer as punitive and to direct the respondents to retain the applicant at Tirunelveli and to pass such other order/orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice."

2. The applicant is aggrieved by Annexure A1 impugned order by which he had been transferred from Tirunelveli to Madurai at a time when he had less than two years of residual service before superannuation. It is alleged that he was entitled to be retained at the present place of posting in terms of the policy of the government to accommodate employees who have only a short period of service left. He made Annexure A2 undated representation in this regard. It is submitted that he would be satisfied if the competent authority is directed to pass a reasoned and speaking order within a time limit set by the Tribunal and maintain status quo in the meantime.

3. Mr. P. Srinivasan, standing counsel takes notice for the respondents and submits that the respondents would not be averse to passing a reasoned and speaking order on the applicant's Annexure A2 representation if so directed by the Tribunal.

4. Keeping in view the limited relief urged and without going into the substantive merits of the case, we deem it appropriate to direct the competent authority to consider Annexure A2 representation of the applicant in accordance

with the transfer policy of the department, place it before the placement committee if necessary, obtain its recommendations and pass a reasoned and speaking order within a period of three weeks from the date of receipt of a copy of this order. Status quo as on date shall be maintained till then.

5. OA is disposed of at the admission stage. No costs.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

24.06.2019

SKSI