

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1600/2019

Dated Monday, the 2nd day of December, 2019

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

D.Sathiyan,

Track Man IV, O/o Section Engineer/P.Way,

Pudukottai R.S.,

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 600003.

2.The Divisional Railway Manager,

Madurai Division,Southern Railway,

Madurai 625016.

3.The Sr. Divisional Personnel Officer,

Madurai Division,Southern Railway,

Madurai 625016.Respondents

By Advocate Mr. P. Srinivasan

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

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 quarters register and the impugned order orders No.U/P/555/Allot/Qtrs OPL dated 01.11.2019 received on 21.11.2019 and quash the same and to direct the respondents to continue the allotment and further to pass such other order/orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice."

2. When the matter came up for hearing, learned counsel for the applicant would submit that the applicant has made a representation dated 23.07.2019 regarding his grievances and the same was disposed of by a non-speaking order dated 14.08.2019. He will be satisfied if a proper enquiry is conducted and necessary relief is granted by reconsidering his representation dated 23.07.2019 within a stipulated time limit. It seems that the quarter was allotted to the applicant on 27.06.2009 (A-3). Thereafter on 14.08.2019, the respondent had cancelled the allotment without allotting any other quarter which he is entitled to. The respondent had denied such allotment as evidenced by A-3.
3. Mr.P.Srinivasan takes notice on behalf of the respondents and submits that the respondents have no objection for disposal of the representation of the applicant on merits.

4. We find that the respondent had not disposed of the representation of the applicant. It is also not known whether the appropriate authority had allotted the quarters. It is submitted that applicant is occupying the quarters w.e.f 27.06.2019.

In view of the limited submission, the OA is disposed of in the following lines:

"The competent authority is directed to reconsider the applicant's representation dated 23.07.2019 by conducting a proper enquiry and pass a speaking order on the basis of relevant rules and regulations , within a period of three months from the date of receipt of a copy of this order. Since the balance of convenience is in favour of applicant, status-quo in respect of the applicant shall be maintained and the applicant shall not be evicted till a speaking order is issued in this case."

**(T.JACOB)
MEMBER (A)**

02.12.2019

M.T.

**(P.MADHAVAN)
MEMBER (J)**