

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1663/2019

Dated Monday, the 16th day of December, 2019

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

M. Ganesan

Track Maintainer Gr. IV

Katpadi.

... Applicant

By Advocate M/s R. Pandian S.Sriramulu S.Saravana Prakash

Vs

1. Union of India rep. By

The Secretary, Railway Board

New Delhi 110 001.

2. The General Manager

Southern Railway

Park Town Chennai – 600 003.

3. The Divisional Railway Manager

Southern Railway Chennai Division

NGO Annex, Park Town

Chennai – 600 003.

4. Senior Divisional Personnel Officer

Southern Railway

Chennai Division

NGO Annex, Park Town

Chennai – 600 003.

... 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 all the records relating to non-consideration of applicant's case under the Liberalized Active Retirement Scheme for Guaranteed Employment for Safety Staff (LARSGESS). Consequently to direct:-

- i. the 4th respondent to allow retirement of the applicant under LARSGESS and simultaneously appointing the applicant's son Mr. G. Manivannan as he was already found fit for the post of Track Maintainer and
- ii. To pass such other order/orders”.

2. The applicant while working as Track Maintainer, submitted his application dated 15.08.2016 seeking retirement and simultaneous appointment of his son under Liberalized Active Retirement Scheme for Guaranteed Employment for Safety Staff (LARSGESS), as per the notification issued by the 4th respondent. All the processes were concluded during the year 2017 and his son was subjected to medical examination on 08.02.2018. Thereafter as there was no action whereas in Salem Division where the said process was started along with Chennai Division, appointment orders were issued to the wards of the employees under the Scheme. The applicant approached the respondent and found out that the LARSGESS Scheme was terminated w.e.f. 27.10.2017 and decision in cases where all the process were complied before 27.10.2017 would be considered in due course. In the case of the applicant all process except the medical examination were completed before 27.10.2017 and the medical examination alone was delayed due to administrative reasons. Hence the applicant made a representation dated 15.05.2019 to the competent authority and when there is no reply, he has filed this OA.

3. When the matter came up for hearing, learned counsel for the applicant would submit that the applicant has filed representation dated 15.05.2019 as Annexure A-11 before the competent authority requesting

appointment for his son under LARSGESS which is still pending and no order is passed till now. He will be satisfied if the said representation is disposed of within a stipulated time frame.

4. Mr.P.Srinivasan, Senior standing counsel for Railways 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.

5. In view of the limited submission and without going into the merits of the case, the OA is disposed of in the following lines:

"The competent authority is directed to consider the applicant's representation dated 15.05.2019 produced as Annexure A-11 in the light of relevant rules and regulations and scheme and pass a reasoned and speaking order, within six months from the date of receipt of a copy of this order."

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

16.12.2019

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

M.T.