

**Central Administrative Tribunal
Madras Bench**

MA/310/00759/2015 (in)(&) OA/310/00286/2014

Dated Friday the 22nd day of January Two Thousand Sixteen

P R E S E N T

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

N.B.Ambedkar
S/o. K.Nallathambi,
No.15/545, 'Sarada Nilayam',
Paleli, Kattakada 625 572,
Trivandrum District, Kerala.

.. Applicant in OA/Respondent in MA

By Advocate **M/s.AL.Ganthimathi**

Vs.

1. Union of India, rep by
The Post Master General,
Southern Region, Tamil Nadu Circle,
Madurai 625 002.
2. The Superintendent of Post Offices,
Tirunelveli Division, Tirunelveli 627 002.
3. The Senior Superintendent of Post Offices,
Kanyakumari Division,
Nagercoil 629 001.
4. The Director,
Postal Services,
O/o the Post Master General,
Southern Region,
Madurai 625 002.

.. Respondent in OA/Applicant in MA

By Advocate **Mr.S.Padmanabhan**

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

This OA had been filed against the impugned order of transfer of the applicant from Kanniyakumari to Tirunelveli APM (SB) Ambasamudram HO on the ground that it was a premature transfer in violation of the Transfer Guidelines which allow a tenure of four years in one station. In the light of this position, the operation of the impugned order of the 2nd respondent dated 18.2.2014 and the order of the 3rd respondent dated 19.2.2014 had been stayed by this Tribunal on 5.3.2014.

2. When the matter is taken up for hearing today the learned counsel for the MA applicant seeks vacation of the stay as the period of four years is already over and the applicant is overstaying on his present post only on the strength of the stay granted by the Tribunal. The relief sought in the OA has already been availed of by the applicant through the operation of the interim order and he is not entitled to any further relief, it is contended.

3. Learned counsel for the applicant in OA however, submits that the impugned order was not in accordance with the transfer policy and, therefore, the transfer could not be effected on the basis of this order. The fact that the applicant has completed his tenure is, however, not disputed.

4. In the light of the submissions, I deem it appropriate to allow the respondents in OA to withdraw the impugned order dated 18.2.2014 of the 2nd respondent and issue fresh transfer orders of transfer, if considered necessary. The

OA is disposed of in the above terms. As the OA is disposed of, the MA for vacation of stay also stands disposed of accordingly. No order as to costs.

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