

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No.180/00332/2019

Friday, this the 18th day of September, 2020

CORAM:

Hon'ble Mr. P.Madhavan, Judicial Member

Hon'ble Mr.K.V.Eapen, Administrative Member

T.N. Sudharma, aged 57 years,
W/o. V. Vijayan,
Sub Postmaster,
Presently Karuvatta S.O. in Mavelikkara Division.
Residing at Ponnitti Parambil,
Pallipad P.O., Pin: 690 512.
Phone:8281034000.

Applicant

(Advocate: Mr.V.Sajithkumar)

Versus

1. Union of India, represented by
the Secretary to the Government of India,
Department of Posts, Government of India,
New Delhi- 110 001.
2. The Chief Postmaster General,
Kerala Circle, Trivandrum-695 033.
3. The Post Master General,
Central Region, Ernakulam-682 018.
4. The Senior Superintendent of Post Offices,
Mavelikkara Postal Division,
Mavelikkara-690 101.

Respondents

(Advocate: Mr.N.Anilkumar, SCGSC)

This OA having been heard on 14th September, 2020, the Tribunal delivered the following order on 18.09.2020:

ORDER**P.Madhavan, Judicial Member**

This is an OA filed seeking the following reliefs:

- (i) *Quash Annexures A1 & A5.*
- (ii) *Direct the respondents to retain the applicant as SPM, Karuvatta or at any of the place in the three options submitted by the Applicant.*

2. The Applicant who is working as Sub Post Master (SPM in short) at Karuvatta Sub Post Office in Mavelikkara Postal Division was transferred to Kodukulanji Sub Post Office as per impugned order Annexure A1 dated 4.3.2019. According to the Applicant, she is one of the senior most Postal Assistants in the Division and the Respondents did not consider the three choices of places given by her. She had only 3 more years for retirement and her transfer was against the guidelines issued by the respondents' order No.F.No.141-141/2013-SPB-II dated 31.7.2018 (Annexure A7).

3. The Respondents entered appearance through Sri N.Anilkumar, SCGSC and filed a detailed reply statement denying the allegations made in the OA. According to them, the latest guidelines for transfer is the one dated 17.1.2019 (produced as Annexure R1). The Respondents have given detailed reasons for not considering the applicant's choice stations i.e., Karthikapally S.O, Pallipad S.O., and Thazhakkara S.O.

4. We heard both sides. When the matter was heard, the counsel for the applicant submitted that the applicant would be satisfied if her representation pending was considered as per the latest guidelines within a specified period.

5. On a perusal of the records in this case, we find that the applicant has not produced copy of any fresh representation filed by her. She has produced a copy of

representation dated 9.4.2019 (Annexure A6) which was given to the Post Master General, Central Region, Kochi.

6. In view of the submission made by the counsel for the applicant, we are not going into merits of the case. Hence, we dispose of this OA with a direction to **Respondent No. 3 to consider the representation given by the applicant i.e., Annexure A6 dated 9.4.2019 and pass a speaking order on it on the basis of the existing guidelines, within a period of 40 days. The interim order of status quo will stand vacated on passing of orders on Annexure A6.**

7. With the above directions, the OA is disposed of without any order as to costs.

(K.V.Eapen)
Administrative Member

(P.Madhavan)
Judicial Member

aa.

Annexures filed by the Applicant:

- Annexure A1: True copy of the Memo No.BB/2016 dated 04.03.2019 issued on behalf of the 4th Respondent.
- Annexure A2: True copy of the relevant pages of gradation list of Postal Assistants, Mavelikkara Postal Division, as on 01.07.2017.
- Annexure A3: True copy of the ultra sound report dated 17.06.2015 issued by the Department of Radiology, Amrita Institute of Medical Sciences.
- Annexure A4: True copy of the representation dated 5.3.2019 submitted by the Applicant before the 4th Respondent.
- Annexure A5: True copy of the Memo No.BB/26 dated 21.3.2019 issued by the 4th Respondent.
- Annexure A6: True copy of the representation dated 9.4.2019 submitted by the Applicant to the 3rd Respondent.
- Annexure A7: True copy of the Order No.F.No.141-141/2013-SPB-II dated 31.07.2018 issued on behalf of the 1st Respondent.

Annexure filed by the Respondents:

- Annexure R1: True copy of the revised and latest guidelines issued under No.ST/1-32/2012/Rlgs dated 28.2.2019 of the 3rd Respondent.