

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00018/2020
&
Miscellaneous Application No. 180/00411/2020
in
Original Application No. 180/00018/2020

Tuesday, this the 11th day of August, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

Vidhya Mol T.S., W/o. Manu Thankachan, aged 26 years,
 GDS MP Kanchiyar SO, Kattappana Sub Division, Idukki Division,
 residing at Panachekunnel (H), Chenappady PO, Idukki District-
 686 520, Mob: 9447378583. **Applicant**

(By Advocate : Mr. V. Sajith Kumar)

V e r s u s

1. Union of India, represented by Secretary to Government, Department of Posts, Ministry of Communications, Government of India, New Delhi – 110 001.
2. The Chief Postmaster General, Kerala Circle, Trivandrum-695 033.
3. The Superintendent of Post Offices, Idukki Postal Division, Thodupuzha PO, Idukki District – 685 584.
4. The Inspector of Posts, O/o. The Inspector of Posts, Kattappana Sub Division, Kattappana – 685 508. **Respondents**

(By Advocate : Mr. S.R.K. Prathap, ACGSC)

This application having been heard on 11.08.2020 through video conferencing, the Tribunal on the same day delivered the following:

O R D E R (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard Advocate Mr. V. Sajith Kumar appearing for the applicant and the Advocate Mr. S.R.K. Prathap, ACGSC appearing for the respondents

through video conferencing.

2. The applicant is aggrieved by the delay on the part of the respondents in considering her claim for transfer to the post of Stamp Vendor at Kanjirappally Post Office which is lying vacant. She has filed this OA seeking the following reliefs:

- “(i) To quash clause 2(a)(vii) of Annexure A14 instructions.*
- (ii) To declare that the respondents are bound to consider the claim of the applicant for transfer in Annexure A1 and Annexure A5 in terms of Annexure A13 instructions.*
- (iii) To direct the 2nd respondent to consider the claim for transfer in Annexure A12 in the light of Annexure A13 instructions and to grant her a transfer as requested in Annexure A12.*
- (iv) Grant such other reliefs as may be prayed for and as the court may deem fit to grant, and*
- (v) Grant the cost of this Original Application.”*

3. When the matter came up for consideration today, learned counsel for the applicant submitted that she has filed a representation on 25.7.2020 (Annexure A16) and the same is still pending before the competent authority and she will be satisfied if that representation is disposed of on the basis of Annexure A15 guidelines.

4. In view of the limited relief sought by the applicant, without going into the merits of the case, the competent authority is directed to consider Annexure A16 representation dated 25.7.2020 filed by the applicant in the light of Annexure A15 and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.

5. In view of the above, MA No. 180/411/2020 for impleading is closed.

6. The Original Application is disposed of as above at the admission stage itself. No order as to costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

Original Application No. 180/00018/2020

APPLICANT'S ANNEXURES

Annexure A1 – True copy of the appointment Memo No. GDS/RECTT/MP/Kanchiyar dated 27.3.2017 issued by the 4th respondent.

Annexure A2 – True copy of the marriage certificate No. 4127/2015 dated 5.1.2016 issued by the Local Registrar for Marriages, Ayyappan Coil Panchayat.

Annexure A3 – True copy of the Medical certificate dated 11.6.2016 issued by Dr. P. Lailamony, Gynecologist, Santhnikethan Hospital, Ponkunnam.

Annexure A4 – True copy of the birth certificate dated 13.1.2017 issued by the Chirakkadavu Grama Panchayat.

Annexure A5 – True copy of the medical certificate dated 9.5.2017 issued by Dr. P. Lailamony, Gynecologist, Santhnikethan Hospital, Ponkunnam.

Annexure A6 – True copy of the representation submitted by the applicant dated 28.4.2018 submitted by the applicant to the 2nd respondent.

Annexure A7 – True copy of the request dated 3.4.2019 submitted by the spouse of the applicant to the 3rd respondent.

Annexure A8 – True copy of the reply dated 11.4.2019 issued by the 3rd respondent.

Annexure A9 – True copy of the request dated 3.4.2019 submitted by the spouse of the applicant to the 2nd respondent.

Annexure A10 – True copy of the reply dated 29.4.2019 issued by the office of the 2nd respondent.

Annexure A11 – True copy of the representation dated 3.9.2019 submitted by the applicant to the 2nd respondent.

Annexure A12 – True copy of the application dated 24.9.2019 submitted by the applicant.

Annexure A13 – True copy of the transfer guidelines issued as per the DG's letter No. 19-10/2004-GDS dated 17.7.2006.

Annexure A14 – True copy of the order No. 17-31/2016-GDS dated 4.1.2019 issued by the Ministry of Communications.

Annexure A15 – True copy of the order No. 17-31/2016-GDS dated 22.1.2020 issued by the 1st respondent.

Annexure A16 – True copy of the representation dated 25.7.2020 submitted by applicant to 5th respondent.

RESPONDENTS' ANNEXURES

Annexure R1 – True copy of the letter No. B7 Tfr/Dlg dated 16.7.2018 issued by the 3rd respondent.

Annexure R2 – True copy of the letter No. 17-31/2016 GDS dated 15.4.2019 issued by the Postal Directorate.

Annexure R3 – True copy of transfer request submitted by Shri K.S. Saji, Gramin Dak Sevak, Kaluketty Sub Postal Office.

Annexure R4 – True copy of the letter NO. ST/Tfr Genl/2019 dated 21.8.2019.

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