

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00380/2021

Tuesday, this the 7th day of September, 2021

CORAM:

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

M.V. Tachyon, Aged 37 yrs., S/o. M.R. Vidyadharan,
 Leading Fireman, INS Zamorin, Ezhimala, Kannur-670 310,
 Residing at Morappillil House, Mattoor, Kaladi,
 Ernakulam – 683 574, Mob:7025501904. **Applicant**

(By Advocate : Mr. S. Sujin)

V e r s u s

1. Union of India, represented by the Secretary to
 Government of India, Ministry of Defence, New Delhi-110 001.
2. The Flag Officer, Commanding in Chief, Headquarters,
 Southern Naval Command, Naval Base,
 Kochi-682 004. **Respondents**

(By Advocates : Mr. Sreedutt S., ACGSC)

This application having been heard on 31.08.2021, the Tribunal on
 07.09.2021 delivered the following:

ORDER

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

This is an Original Application filed by the applicant seeking a
 direction to relieve him from INS, Zamorin at Ezhimala to INS, Venduruthy
 at Ernakulam. According to the applicant he is working as a Leading
 Fireman in INS, Zamorin at Ezhimala from 2017 onwards. According to him
 he was appointed at Ezhimala as per Annexure A2 promotion order.
 Thereafter, he continued to work in the promoted unit at INS, Zamorin at

Ezhimala. The transfer of civilian personnel is done by the 2nd respondent as per the policy guidelines issued by the Department. The copy of the guidelines is produced as Annexure A3. As per Annexure A3 guidelines a person posted at hard station like Ezhimala can seek for a transfer to a convenient station. The applicant was issued with a transfer order on 16.6.2021 to INS, Venduruthy at Ernakulam. The order is produced as Annexure A4. Even though he waited for relieving him from INS, Zamorin at Ezhimala, the respondents are not relieving him and not implementing the Annexure A4 order issued in his favour. The applicant has approached the 2nd respondent seeking his relieving from INS, Zamorin at Ezhimala to INS, Venduruthy at Ernakulam and permitting him to join in the transferred station. However, till date the 2nd respondent has not acceded to his request. The request submitted by the applicant is marked as Annexure A5. So according to the applicant he is entitled to get the Annexure A4 transfer order implemented in his favour without any further delay.

2. When the OA was filed learned counsel appearing for the respondents took notice on 11.8.2021 and sought time for taking instructions from the respondents. When the matter came up for hearing today, learned counsel for the respondents submitted that he has not received any instructions so far even though he had written to the concerned authorities. It appears that the respondents have no reason to say anything against the implementation of the order passed by them at Annexure A4. Further no reason whatsoever is put forward by them till date. Hence, we set the respondents ex-parte.

3. In the result the competent authority among the respondents is directed to relieve the applicant from INS, Zamorin within a period of one month from the date of receipt of a copy of this order to join at INS, Venduruthy at Ernakulam as per Annexure A4 order as per rules.

4. The Original Application is disposed of. No order as to costs.

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

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APPLICANT'S ANNEXURES

- Annexure A1** - True copy of the letter of appointment issued to the applicant on 22.7.2013.
- Annexure A2** - True copy of the letter of promotion issued to the applicants on 25.9.2017.
- Annexure A3** - True copy of the transfer guidelines.
- Annexure A4** - True copy of the transfer order of the applicant dated 16.6.2021.
- Annexure A5** - True copy of the request submitted by the applicant on 30.7.2021.

RESPONDENTS' ANNEXURES

Nil

-X-X-X-X-X-X-X-