

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 418 of 2005

Wednesday, this the 8th day of June, 2005

CORAM

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. N. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. K.P. Koya,
S/o late U. Attakoya Haji,
Trained Graduate Teacher (Malayalam),
Government High School, Agathy,
UT of Lakshadweep. Applicant

[By Advocate Shri N.N. Sugunapalan Sr.]

Versus

1. The Administrator,
Union Territory of Lakshadweep, Kavaratti.
2. Director of Education,
Union Territory of Lakshadweep, Kavaratti.
3. Union of India, represented by Secretary,
Ministry of Human Resources & Development,
New Delhi – 110 001 Respondents

[By Advocate Shri Shafik MA (R1 and R2)]

[By Advocate Shri T.P.M. Ibrahim Khan, SCGSC (R3)]

The application having been heard on 8-6-2005, the
Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The applicant is a Trained Graduate Teacher (Malayalam) working at the Government High School, Agatti. He claims that he joined service as a Primary



School Teacher in 1979 and got promotion as Trained Graduate Teacher on 24-6-1995. His grievance is that a group of Teachers working on contract basis have been regularised and placed in the seniority list above the applicant. The apprehension of the applicant is that without considering his objections if the seniority list is finalised and promotions made, it will cause irreparable injury and hardship to him. Therefore, he has filed this Original Application seeking the following reliefs:-

"a) To issue necessary orders directing the respondents to finalize the seniority list of Trained Graduate Teachers for the Lakshadweep Island after considering the objections preferred by the applicant in a time bound manner;

b) Award the cost of this proceedings to the applicant; and

c) Grant such other and further reliefs as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

2. Shri N.N. Sugunapalan Sr. Advocate appeared for the applicant, Shri Shafik M.A, learned counsel appeared for respondents 1 and 2 and Shri T.P.M. Ibrahim Khan, learned SCGSC appeared for the 3rd respondent.

3. When the matter came up for hearing, learned counsel for the applicant submitted that Annexure A3 representation dated 10-7-2003 made by the applicant before the 2nd respondent is still pending and the applicant will be satisfied if a direction is given to the 2nd respondent to consider his grievance and dispose of the representation within a time frame. However, the learned counsel for respondents 1 and 2 submitted that he is not aware whether the seniority has been finalised or not.

4. In the interests of justice, we direct the 2nd respondent to consider Annexure A3 representation dated 10-7-2003 of the applicant and dispose of the same within a



period of three months from the date of receipt of a copy of this order. If requested, the applicant may be given a chance of personal hearing and finalise the seniority list, in case it is not already finalised, after hearing all the affected parties.

5. The Original Application is disposed of as above at the admission stage itself.

In the circumstances, there is no order as to costs.

Wednesday, this the 8th day of June, 2005



N. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



K.V. SACHIDANANDAN
JUDICIAL MEMBER

Ak/NRP