

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.428/2002

Wednesday this the 26th day of June, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

C.R.Vinodkrishnan S/o late C.Raghavan,
aged 47 years
SUPW Teacher, Kendriya Vidyalaya,
Ottappalam,
residing at Panchakshari,
Thottakkara, Ottappalam.679102.

..Applicant

(By Advocate Mr. KP Dandapani/Mrs.Sumati Dandapani)

v.

1. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Singh Marg,
New Delhi-110016.
2. The Deputy Commissioner (Admn)
Kendriya Vidyalaya Sangathan,
18, Institution Area,
Shaheed Singh Marg,
New Delhi-110 016.
3. The Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Regional Office, IIT Campus,
Chennai-600 036.
4. Shri K.Natarajan, SUPW Teacher,
Kendriya Vidyalaya,
Coimbatore, Tamil Nadu-641 401.
5. The Principal,
Kendriya Vidyalaya,
Ottappalam-679 102.
6. The Principal,
Kendriya Vidyalaya,
Coimbatore-641 401.

(By Advocate Mrs.Sreelekha Puthalath rep.Shri Thottathil B.Radhakrishnan, for Respondents 1 to 3 and 5&6)

The application having been heard on 26.6.2002, the Tribunal on the same day delivered the following:

O R D E R

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The applicant, SUPW Teacher, Kendriya Vidyalaya, Ottappalam was working there for the last 8½

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years. Since he has completed the tenure in the station long back by Annexure A.1 order dated 17.4.2002 he has been transferred to Kendriya Vidyalaya, Coimbatore posting the 4th respondent from Kendriya Vidyalaya, Coimbatore to the place of the applicant. While the applicant was making preparations for moving to the place of posting, he received the impugned order Annexure.A4 dated 22.4.2002 by which the relief of the applicant was kept in abeyance until further orders. Alleging that the children of the applicant are studying and that the posting of the applicant to a distant place would cause him undue hardship, the applicant has filed this application seeking to set aside the impugned order Annexure.A4 and for a direction to the respondents 1 and 2 to implement Annexure.A1 order as well as Annexure.A3 enabling the applicant to report at Kendriya Vidyalaya, Coimbatore.

2. When the matter came up for hearing, learned counsel for the respondents 1 to 3 and 5&6 under instructions from the respondents stated that since the 4th respondent has made a representation to the third respondent which is being considered by the 1st respondent, the impugned order has been issued keeping the relief of the applicant pending and that there is no reason for any intervention by the Tribunal now. The counsel on either side agree that in case the request of the 4th respondent for retention at Coimbatore is being considered, the applicant may make a representation indicating his choice station and the respondents may be directed to consider his request while posting the applicant.

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3. In the light of the submission of the learned counsel on either side, while declining to interfere with the impugned order, we permit the applicant also to make a representation to the 2nd respondent regarding the next choice station and directing the second respondent that if such a representation is received, the same shall also be considered with due sympathy. There is no order as to costs.

Dated the 26th day of June, 2002



A.V.HARIDASAN
VICE CHAIRMAN

(s)

APPENDIX

Applicant's Annexures:

1. A-1 : True copy of order dated 17.4.2002 issued by the 2nd respondent to the applicant vide No.F17-1(D)(MSC/WETR)/2002/KVS (Estt.IV).
2. A-2 : True copy of Transfer Guidelines pertains to Kendriya Vidyalaya.
3. A-3 : True copy of Relieving Order No.04/KV-OPT/2002-2003 dated 22.4.2002 issued by the 5th respondent to the applicant.
4. A-4 : True copy of Office Order No.F.4/2002/KVO dated 22.4.2002 issued by the 5th respondent to the applicant.
5. A-5 : True copy of representation submitted by the applicant before the 1st respondent on 3.5.2002.

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28.6.02