

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.437/2002

Monday this the 8th day of July, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

K.Chithambaran,
Sub Postmaster,
Aluva North PO,
Aluva.

...Applicant

(Party in person)

V.

1. The Senior Superintendent of
Post Offices, Aluva Division,
Aluva.
2. The Director of Postal Sevices,
Central Region, Kochi.16.
3. The Postmaster General,
Central Region, Kochi.16.
4. The Union of India,
represented by the Secretary,
Ministry of Communications,
Department of Posts,
New Delhi.

..Respondents

(By Advocate Mr. R.Madanan Pillai Chenkur)

The application having been heard on 8.7.2002, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant took over as Sub Postmaster,
Aluva from his predecessor Shri N.C.Ayyappan on
2.11.2000. The office cash safe was locked on that
date and on 3.11.2000 morning there was difficulty in
opening it. It was ultimately found that it was slight
defective and it was got repaired in January, 2001.
The applicant was by letter dated 23.1.2001
(Annexure.A1) of the 1st respondent asked to credit an

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amount of Rs.300/- which was spent for repair of the lock of the safe. The applicant obeyed the direction and credited the money. However, the fact that he was asked to credit the money without actually finding that it was his mistake which resulted as a defect of the lock and the consequent expenses, the applicant submitted a representation to the Director of Postal Services in reply to which he was told by Annexure.A2 letter dated 11.6.2001 that his representation had been rejected. Dissatisfied with that the applicant made a representation to the third respondent in reply to which he was told by the impugned order Annexure.A6 that since he had already credited the money without any protest, the Chief Postmaster General would not like to intervene in the matter. Aggrieved the applicant has filed this application seeking to set aside the impugned orders Annexures A1,A2 and A6 and for a direction to the respondents to refund Rs. 300/- which has been credited by the applicant towards the alleged repairing charges. It is alleged in the application that when the applicant was asked to credit Rs. 300/- he even tendered his resignation and that he has been asked to remit the amount without even giving him an opportunity of being heard before taking a decision that it was his mistake.

2. Shri Madanan Pillai, learned ACGSC under instructions states that this is the third instance and that the applicant had earlier been censured after issuing a Rule 16 notice for loss of key.

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3. On a careful scrutiny of the material papers and on hearing the applicant who is present in person and Shri R.Madanan Pillai, ACGSC we find that this is a too trivial issue for this Tribunal to admit the application and deliberate on it any further. It appears that the applicant have been hypersensitive to issues. Without any protest he has credited Rs. 300/-. Therefore, it is not proper for him to claim that the amount should be refunded. In any case finding that the matter is too trivial to invoke the jurisdiction of this Tribunal, we reject this application under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated the 8th day of July, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the letter No.J/7 dt.23.1.01 issued by 1st respondent.
2. A-2 : True copy of letter No.J/7 dt.11.6.01 issued by the 1st respondent to SPM Aluva North.
3. A-3 : True copy of the representation dt.24.7.01 submitted by the applicant to the Chief Postmaster General Kerala Circle, Trivandrum.
4. A-4 : True copy of letter No.J/7 dt.30.8.01 issued by the 1st respondent.
5. A-5 : True copy of the representation submitted by applicant to the 3rd respondent.
6. A-6 : True copy of letter No.J/7 dt.5.10.01 issued by the 1st respondent to the applicant.

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11.7.02