

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 447 of 2000

Wednesday, this the 26th day of April, 2000

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

1. V.V. Velayudhan,
Head Constable, Police Station,
Minicoy Island. ..Applicant

By Advocate Mr. K.V. Raju

Versus

1. The Administrator
(Inspector General of Police),
Union Territory of Lakshadweep,
Kavarathi.
2. Superintendent of Police,
Union Territory of Lakshadweep,
Kavarathi.
3. Union of India, represented by the
Secretary, Ministry of Home Affairs,
New Delhi. ..Respondents

By Advocate Mr. S. Radhakrishnan

The application having been heard on 26th April 2000,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

The applicant seeks to quash A2 to the extent it relates to him and to direct the respondents 1 and 2 to allow him to continue at Minicoy till his retirement.

2. The applicant is working as Head Constable in Minicoy Island. As per A2, the impugned order, he has been transferred to Chetlath Island. He submitted a representation dated 25-3-2000 (A3) to the 2nd respondent for retaining him in his present station. He says that he has got only few months more to retire since he has requested for voluntary retirement.



3. There is no case for the applicant that the order of transfer is issued by an authority who is not competent to issue the same. Though it is very vaguely stated that the order of transfer of the applicant is vitiated by malafides, there is absolutely no material in support of any malafides on the part of any of the respondents. Further, no one is brought in the party array by name.

4. The learned counsel appearing for the applicant submitted that it is suffice to direct the 2nd respondent to consider and pass appropriate orders on A3 representation within a reasonable time and also to direct him to consider the feasibility of retaining the applicant at Minicoy till the disposal of A3 representation. The submission of the learned counsel for the applicant seems to be reasonable.

5. Accordingly, the 2nd respondent is directed to consider and pass appropriate orders on A3 representation as expeditiously as possible. The 2nd respondent shall also consider the feasibility of retaining the applicant at Minicoy Island till the disposal of A3 representation.

6. The original application is disposed of as above. No costs.

Wednesday, this the 26th day of April, 2000



A.M. SIVADAS
JUDICIAL MEMBER

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List of Annexures referred to in this Order:

1. A2 - True copy of Order No. F1/5/96-Estt.(POL) dated 24-3-2000 issued by the 2nd respondent.
2. A3 - True copy of the representation dated 25-3-2000 submitted by the applicant before the 2nd respondent.