

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 458 of 2010

Tuesday, this the 15th day of June, 2010

CORAM:

Hon'ble Mr. Justice K. Thankappan, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

1. M.G. Suma, Superintendent, Regional Passport Office, Kochi.	2. A.S. Valsalakumari, Superintendent, Regional Passport Office, Kochi.
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Applicants

(By Advocate – Mr. N. Nagaresh)

V e r s u s

1. Under Secretary (PVA), Ministry of External Affairs (CPV Division), Government of India, New Delhi.	2. Regional Passport Officer, Panampilly Nagar P.O., Cochin.
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Respondents

(By Advocate – Mr. Thomas Mathew Nellimootttil for Mr. Varghese P. Thomas, ACGSC)

This application having been heard on 15.6.2010, the Tribunal on the same day delivered the following:

O R D E R

By Hon'ble Mr. Justice K. Thankappan, Judicial Member -

The applicants have filed this Original Application challenging Annexure A-2 and Annexure A-3 transfer orders which were passed while they are working as Superintendents in the Passport Office. The ground alleged in the Original Application are that as per guidelines issued and followed by the Department stipulate that for transfer of Superintendents



only station seniority has to be considered and seniors shall be considered for transfer first. However, as far as the applicants are concerned there are six more seniors still in the office. Hence, they are aggrieved by such action of the respondents.

2. When the Original Application came up for admission, this Tribunal had already ordered stay of the implementation of the Annexures A-2 and A-3.

3. We have heard the counsel appearing for the applicants Mr. N. Nagaresh as well as the counsel appearing for the respondents Mr. Thomas Mathew Nellimoottil for Mr. Varghese P. Thomas, ACGSC. The counsel appearing for the respondents submits that a reply statement is being filed in the matter contraverting the stand taken in the Original Application. However, at the time of arguments the counsel appearing for the applicants submitted that as far as the second applicant is concerned her transfer is already cancelled and she is retained in the present office. If so, the only grievance now exists is for the first applicant. For that counsel for the applicants submits that after the order passed by this Tribunal the respondents have already transferred some of the seniors from the present office also. If so, he will be satisfied if a direction is issued to the respondents to consider the Annexure A-4 representation within a reasonable time by the respondents.

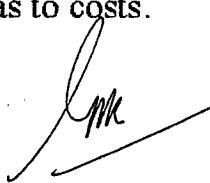
4. In the above circumstances, we feel that the Original Application can



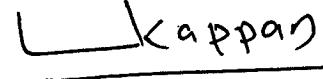
be disposed of at this stage by directing the respondents to consider Annexure A-4 representation dated 31.5.2010 addressed to the first respondent within a reasonable time, at any rate within 30 days from the date of receipt of a copy of this order. Ordered accordingly. We also make it clear that till such answer is given to the Annexure A-4 representation the transfer order passed against the applicant shall be kept in abeyance.

5. With the above direction this Original Application stands disposed of.

No order as to costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER

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