

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.531 of 1994

Friday this the eighth day of April, 1994

Coram

Hon'ble Mr.Justice Chettur Sankaran Nair, Vice Chairman

Hon'ble Mr.P.V.Venkatakrisnan,Administrative Member

P.Sudhevan,
Engineering Assistant
Television Relay Centre (TVRC)
Kayamkulam.

...Applicant

(By Advocate Mr.L.G.Sureshbabu))

Vs.

1. Union of India, represented by the Secretary, Information & Broadcasting Shastri Bhavan, New Delhi.
2. The Director General, All India Radio, Akashvani Bhavan, Sansad Marg, New Delhi.
3. The Director General, Doordarsan Mandi House, New Delhi.
4. The Chief Engineer, (South zone) All India Radio & Doordarshan, 38/39 Greams Road, Madras.6.
5. The Station Engineer, Doordarsan Maintenance Centre,Kakkanad,Cochin.
6. K.R.Jayachandran Nair, Engineering Assistant, TVRC, Warrangal.
7. E V.Indira, Engineering Assistant, TVRC, Kayamkulam.

....Respondents

(By Advocate Mr.KarthikeyaPanicker, ACGSC for R.1to5).

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant challenges an order of transfer, on the ground that the guidelines have been violated. Apart from the fact that no noteworthy violation is seen, the guidelines have no force of law and they cannot be enforced(Union of India vs. S.L.Abbas,AIR 1993 SC 2444). It was also pointed out by the Supreme Court in decision cited, that it is for the administrative authority to decide who should

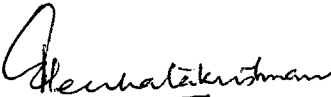
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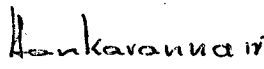
be transferred where, and that an order of transfer should not be interfered with, as if the Tribunal were sitting in appeal on facts. An employee has no right to remain at any station for any length of time. An order of transfer is liable to be interdicted, only if it is vitiated by malafide or by other serious infirmity.

2. Applicant has made Annexure.A4 representation dated 9.3.94 and that is pending consideration before 4th respondent. That respondent should have taken a decision in the matter, in the time that was available to him. We direct him to take a decision on the representation Annexure.A4 within ten days from today and till a decision is taken, the transfer of the applicant and naturally of his substitute, will be held in abeyance.

3. Application is disposed of with the aforesaid directions.
No costs.

Dated the 8th April, 1994.


P.V.VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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