

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.565/2000

Tuesday, this the 30th day of May, 2000.

CORAM:

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

HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

V.Syed Mohammed,
S/o D.Aboobacker,
Headmaster,
Government Junior Basic School(South),
Agatti,
U.T.of Lakshadweep now
transferred to J.B.S.Minicoy.

- Applicant

By Advocate Ms V.P.Seemanthini

Vs

1. The Administrator,
U.T. of Lakshadweep.
2. The Director of Education,
Dept. of Education,
U.T. of Lakshadweep,
Kavaratti.
3. The Headmaster,
Govt. High School,
Agatti,
U.T. of Lakshadweep.
4. T.Ahammed,
Headmaster,
Junior Basic School,
Kadamath,
U.T. of Lakshadweep.
5. M.V.Syed Koya,
Headmaster,
Junior Basic School,
Amini,
U.T. of Lakshadweep.

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6. C.P.Mohammed,
Headmaster,
Junior Basic School,
Andrott.
7. Union of India represented by
its Secretary to Government,
Ministry of Human Resources,
New Delhi.

- Respondents

By Advocate Mr P.R.Ramachandra Menon


The application having been heard on 30.5.2000, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant, Headmaster, Government Junior Basic School(South), Agatti under orders of transfer as Headmaster, Junior Basic School, Minicoy, has filed this application impugning A-1 order by which he has been transferred from Agatti to Minicoy and the A-3 order dated 22.5.2000 by which he has been relieved directing him to report before the Headmaster, Government High School, Minicoy. It is alleged in the application that the applicant is a heart patient, that he has already served one year in Bithra, that during the tenure of service Teachers have to serve for a period of two years either in Bithra or Minicoy, that the respondents 4 to 6 have not so far been posted either at Bithra or Minicoy and that the action of the respondents in picking up the applicant for transfer again to Agatti, a difficult station, is arbitrary and irrational. With these allegations, the applicant seeks to have the impugned order set aside. It is also alleged that the impugned order has not been served on the applicant.

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2. We have heard the learned counsel for the applicant and have perused the application and connected papers. Even going by the averment in the application, the Teachers have to serve for two years either in Agatti or Bithra. The applicant has served in Bithra only for one year. Therefore, there is no merit in the contention that the applicant has again been transferred to a difficult station. Further, it is within the province of the competent authority in the department to deploy the officials to places where their services are required. Unless the action amounts to colourable exercise of power or is vitiated by any reason, judicial intervention in orders like routine nature of transfer and posting is not justified. We do not in this case, find any reason for judicial intervention. Hence the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985. No costs.

Dated, the 30th of May, 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

trs/1600

LIST OF ANNEXURES REFERRED TO IN THE ORDER:

1. A-1: True copy of the letter No.F.No.6/23/2000 Ed.(Estt) dated 22.5.2000 issued by the 2nd respondent.
2. A-3: True fax copy of the order F.No.3/4/97 GHSA dated 22.5.2000 issued by the 3rd respondent.