

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 589 of 1997

Wednesday, this the 14th day of January, 1998

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR. S.K. GHOSAL, ADMINISTRATIVE MEMBER

1. N. Velayudhan,
Accountant (TBOP) Time Bound One Promotion,
Neyyattinkara Head Post
Department of Posts, Thiruvananthapuram.... Applicant

By Advocate Mr. G. Sasidharan Chempazhanthiyil

Versus

1. Superintendent of Post Offices,
South Postal Division,
Thiruvananthapuram.
2. Director of Postal Services,
Southern Region,
Thiruvananthapuram.
3. Chief Post Master General,
Kerala Circle,
Thiruvananthapuram.
4. Saji Sam George,
Accountant (Office Assistant),
Postal Superintendent Office,
South Division, Thiruvananthapuram.
5. R. Satia Das,
Accountant (TBOP),
Thycaud Head Post, Thiruvananthapuram.
6. K.V. Kumar,
Postal Assistant (TBOP) Grade II,
Thycaud Head Post, Thiruvananthapuram.
7. Director General,
Department of Posts, New Delhi. .. Respondents

By Advocates Mr. TPM Ibrahim Khan, SCGSC (R1 to R3 & R7) and
Mr. Thomas Mathew (R4 to R6)

The application having been heard on 14-1-1998, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant though has sought as much as 7 reliefs
in this OA, the learned counsel appearing for the applicant

submitted that he is only pressing into service reliefs No.1 and No.5. The first relief sought for is to quash A-6, the order posting the applicant from the post of Accountant Grade-II to that of LSGPA (Lower Selection Grade Postal Assistant) and the fifth relief is to direct the first respondent to allow the applicant to continue as P.O. and R.M.S Accountant Grade-II.

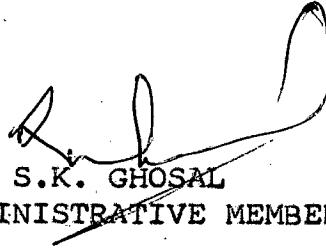
2. The matter was argued at length by both sides. As far as a transfer is concerned the interference by the Tribunal will be only under exceptional circumstances when so warranted and not in the ordinary course. Even before issuance of A-6, the impugned order, the applicant had submitted A-8 representation dated 25-7-1996 in respect of more or less the same grievance he has put forward in this OA addressed to the Chief Postmaster General. In response to A-8, a reply is given to the applicant as per A-9 dated 5-3-1997 stating that the cases relating to Accountants have been referred to the Directorate for clarification and final reply will be given to the applicant on hearing from the Directorate.

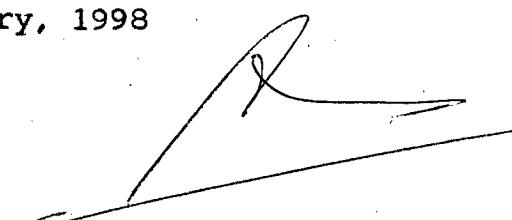
3. It is submitted that even today there is no final reply given to A-8 for the reason that nothing has been heard from the Directorate. Since transfer is a matter primarily to be done by the Administration and the representation A-8 submitted by the applicant is to be finally disposed of, it will be sufficient that the 7th respondent, Director General, Department of Posts, New Delhi, is directed to issue necessary clarifications sought as stated in A-9 and on receipt of the clarifications the 3rd respondent to dispose of A-8.

4. Accordingly, the 7th respondent is directed to issue the necessary clarifications sought as per A-9 dated 5-3-97 within a period of three months from today and thereafter the 3rd respondent shall dispose of A-8 representation submitted by the applicant within a period of one month. A-6 order shall be kept in abeyance till then.

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

Dated the 14th of January, 1998


S.K. GHOSAL
ADMINISTRATIVE MEMBER


A.M. SIVADAS
JUDICIAL MEMBER

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LIST OF ANNEXURES

1. Annexure A6: Memo No.8/Tfr dated 24.4.1997 issued by the first respondent.
2. Annexure A8: Representation(relevant portion) dated 25.7.1996 submitted by the applicant to the third respondent and another.
3. Annexure A9: Letter No.12/1885 dated 5.3.1997 issued by the first respondent.
