

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 594 of 1994

Friday this the 22nd day of April, 1994

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR. S. KASIPANDIAN, ADMINISTRATIVE MEMBER

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

(By Advocate Mr. L.G. Suresh Babu)

Vs.

1. Union of India, represented by the Secretary, Information & Broadcasting Ministry, Shastri Bhavan, N.Delhi.
2. The Chief Engineer (South Zone) All India Radio & Doordarshan, Greams Road, Madras-6.
3. The Station Engineer, Doordarsan Maintenance Centre, Kakkanaudu, Cochin.
4. K.R.Jayachandran Nair, Engineering Assistant, Television Rely Centre Warangal.
5. E.V.Indira, Engineering Assistant Television Rely Centre, Kayamkulam. Respondents

(By Advocate Mr. Mathew J Nedumpara, ACGSC for R.1to3)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant challenges an order transferring him, from Kayamkulam to Warangal. According to him though a person is liable to be transferred after four years (he has completed four years) there are others with longer service than him, and they should be transferred first. We do not think that there is any rule which requires transfer to be made in the order of seniority. Even guidelines do not confer

"upon the Government employees a legally enforceable right....who should be transferred where, is a matter for the appropriate authority to decide. Unless an order of transfer is vitiated by malafides or is in violation of statutory provisions, courts cannot interfere with it."

(Union of India Vs. SL Abbas
(AIR 1993 SC 2444)

2. There is no allegation of malafide. We see no grounds to interfere with the order. It is said that applicant has made a representation to higher authorities in his department for reconsideration of the impugned order. While dismissing the application, we make it clear that the dismissal of this application will not stand in the way of the higher authorities from taking any decision which they consider appropriate.

3. Application is dismissed. No costs.

Dated 22nd April, 1994.

S. Kasipandian

S. KASIPANDIAN CHETTUR SANKARAN NAIR (J)
ADMINISTRATIVE MEMBER VICE CHAIRMAN

Chettur Sankaran Nair

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