

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.599/2000

Dated the 31st day of August,2000

CORAM:

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

K.Divakaran,
Sub Postmaster,
Ettumanur P.O.,
Kottayam.

..Applicant

(By Advocate Shri P.C.Sebastian)

vs.

1. K.J.Joseph,
The Senior Superintendent of Post Offices,
Kottayam Division, Kottayam-686001.
2. The Postmaster General,
Central Region, Kochi-682016.
3. The Union of India, represented by the Secretary,
Ministry of Communications,
Department of Posts, New Delhi.
4. A.K.Narayanan,
Postmaster, Vaikom H.P.O.
5. C.Sreedevi,
Sub Postmaster, Anthinad P.O.,
Palai. ... Respondents


(By Advocate Sri R.Prasanth Kumar, ACGSC(R1-3)
Sri K.R.B.Kaimal (R5)

The application having been heard on 31.8.2000, the Tribunal
on the same day delivered the following:

ORDER

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN:

This application is directed against the order
Annexure-A1 dated 31.5.2000 to the extent it relates the
transfer of the applicant from the post of SPM, Ettumanur to
that of Postal Assistant, Kottayam. The applicant being a
BCR official claims that he should be posted in a norm-based
supervisory post and the present transfer to, a



non-supervisory post is against the instructions on the subject. It is alleged that the transfer is not in public interest, but made only to favour the 5th respondent.

2. A reply statement has been filed in which it has been stated that the transfer is in public interest. It is alleged that the applicant was found not residing in his post-attached quarter by the inspecting officer and that as the 4th respondent has expressed willingness for residing in the quarter, in public interest, he has been transferred to that post under the instructions of the Director of Post Offices. The allegations that the order was made by the first respondent only to favour the 5th respondent is not true, contend the respondents. The respondents contend that as the impugned order is a routine administrative order issued in public interest and pleaded that the Tribunal may not interfere in it.

3. Going through the application and connected papers and on hearing the learned counsel of the respondents, I do not find any reason for judicial intervention. The applicant has been transferred from Ettumanur to Kottayam. The distance between the two stations is only 11 KMs. The person who has been posted in the place of the applicant is an official senior to the applicant. There are many BCR officials who are working on non-supervisory posts and therefore, the contention of the applicant that he should be

✓

retained at Ettumanur is not tenable. The objections raised that the transfer during the academic session is against the norms has also no meaning in this case, as the applicant does not have any school-going children. That the applicant has not been residing in the post-attached quarter is borne out from the records. If the building was in a dilapidated condition, the applicant should have brought it to the notice of the higher authorities. However as the order of transfer was made in public interest, I do not find any reason for judicial intervention. The application which is devoid of any merit is dismissed leaving the parties to bear their own costs.



(A.V. HARIDASAN)
VICE CHAIRMAN

/njj/

List of Annexure referred to in the Order:

- | | | |
|----|-------------|--|
| 1. | Annexure A1 | True copy of Memo No.B1/3/2000 dt. 31.5.2000 issued by the 1st respondent. |
|----|-------------|--|