

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 602/95

Tuesday, this the 2nd day of May, 1995

CORAM:

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR. S. P. BISWAS, ADMINISTRATIVE MEMBER

P. K. Chandrasekharan Pillai
Chief Parcel Supervisor
Ernakulam Junction
Southern Railway, Ernakulam

Applicant

By Advocate Mr. V.R. Ramachandran Nair

vs.

1. Union of India represented by
the General Manager,
Southern Railway, Madras
2. The Divisional personnel Officer
Southern Railway, Trivandrum
3. K.J. Johnson
Chief Goods Supervisor
Southern Railway, Ernakulam
4. N. Mohanan
Chief Commercial Clerk Grade-I
FACT (CD) Siding, Southern Railway
Irimpanam

Respondents

By Advocate Mr. P. A. Mohamed-R. 122.

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicant, a Chief Parcel Supervisor, challenges Annexure A4 order, transferring him from Ernakulam Junction to Cochin Harbour Terminus. Both these stations are within the Cochin Corporation and lay at a distance of 5 to 6 KMS from each other. Applicant submits that he could have been transferred to 'Ernakulam Goods' instead of 'Cochin Harbour.' He could have been or he could not have been, and either way it is not our concern.

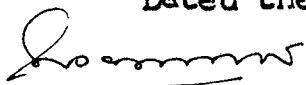
2. The Supreme Court has made it clear that an employee has no enforceable legal right in the matter of transfer.

(See Gujarat Electricity Board and another v. Atmaram Sungomal Poshani (AIR 1989 SC 1433), Union of India and others, v. S.L. Abbas (AIR 1993 SC 2444), N.K. Singh v. Union of India and others (1995 SC 423). Even the hardship

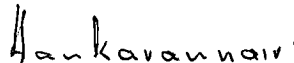
pleaded by applicant is not a matter which can enter legitimate consideration (State of Madhya Pradesh v. S.S. Kourav & others (1995 2 JT SC 498)). We would therefore dismiss the application. If applicant has any grievance, he must take it before the departmental superiors for redress. His apprehension that he may be transferred frequently in future does not appear to have been well founded. He has only two years of service left and we expect that the Railway Administration will not transfer him any more.

3. Application is dismissed. No costs.

Dated the 2nd May, 1995.



S. P. BISWAS
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

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List of Annexures:

1. Annexure A4: True copy of the relevant portion of transfer order No.V/P.677/III/CC(Office Order No.30/95/CC) dated 24-4-1995 issued by the 2nd respondent transferring the applicant and 4th respondent.