

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 81/2003

Wednesday, this the 19th day of February, 2003.

CORAM :

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

P. Sudhakaran Pillai,
Asstt. Superintendent of Post Offices(O/S),
O/o the Superintendent of Post Offices,
Trivandrum South Division and under
orders of transfer as A.S.P. Kollam RMS/IIA
residing at Kaleeril House, Vayakkal P.O.,
Valakom, Kottarakara-691548.

... Applicant

(By Advocate Mr. P.C. Sebastian)

Vs

1. The Director of Postal Services,
Head Quarters Region,
Kerala Postal Circle,
Thiruvananthapuram.
2. The Chief Postmaster General,
Kerala Circle,
Thiruvananthapuram.
3. The Union of India, rep. by its
Secretary,
Ministry of Communications,
Department of Post,
Dak Bhawan, New Delhi.
4. K. Sasidharan,
Asstt. Superintendent of Post Offices,
Thiruvananthapuram North Sub Division,
Thiruvananthapuram.

... Respondents

(By Mr. C. Rajendran, SCGSC)

The application having been heard on 19.2.2003, the
Tribunal on the same day delivered the following :

ORDER

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

The applicant, Assistant Superintendent of Post
Offices(O/S), Office of the Superintendent of Post Offices,
Trivandrum South Division under orders of transfer as ASP Kollam
RMS/IIA has filed this application challenging Annexure A7 order

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dated 24.12.2002 by which he has been transferred and posted as ASP, Kollam RMS/IIA. He has also challenged the order dated 31.1.2003 by which the 4th respondent was posted as ASP(Dn.), Kollam. It is alleged in the application that the applicant belongs to Kollam, that his family is living there, that he had requested for a posting as ASP(Dn.), Kollam, that without considering that at the behest of the Union which has enmity towards him, the 1st respondent has transferred him to the post of ASP, RMS/IIA, Kollam and that the action having been taken not in public interest, the order is liable to be set aside.

2. Shri C. Rajendran, SCGSC under instructions from the respondents stated that the posting of the applicant as ASP, Kollam was made in public interest and was not made under the influence from any Union as alleged. He pleads on behalf of the official respondents that the Tribunal may not interfere with the routine administrative order issued bonafide in public interest especially as no serious difficulty is caused to the applicant.

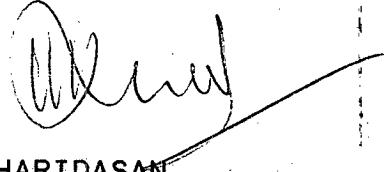
3. On a perusal of the application and the materials placed on record and on hearing the counsel on either side, I am of the considered view that this is a matter where the Tribunal should not exercise its jurisdiction. The grievance of the applicant is that he was not given a particular post as requested by him. The applicant has no right to claim that he should be posted a particular post. His request for a posting in Kollam has been acceded to. The present grievance of the applicant is that he may have to leave his wife alone at home. The applicant forgets that any other employee posted in that position would have the same inconvenience. It is not something peculiar to him. He may have to make his own private arrangements for his domestic

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convenience. If an employee holding a transferable post is not entitled to enforce a claim for posting in any particular place or office. Therefore in this case, I do not find any legitimate grievance of the applicant which calls for adjudication and redressal.

4. In the light of what is stated above, the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated 19th February, 2003.


A.V. HARIDASAN
VICE CHAIRMAN

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