

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.93/2001

Wednesday, this the 31st day of January, 2001.

CORAM:

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

K.R.Somanathan Pillai,
Post Master,
H.P.O. Cherthala,
Krishnavilas,
Kuruppankulangara.BPO,
Via Mayithara Market-688 539. - Applicant

By Advocate Mr T Ravikumar

Vs

1. Union of India represented by
the Secretary,
Ministry of Communications,
Department of Posts,
Dak Bhavan,
Sansad Marg,
New Delhi-110 001.
2. The Post Master General,
Central Region,
Kochi-16.
3. The Superintendent of Post Offices,
Alappuzha Division,
Alappuzha-688 012. - Respondents

By Advocate Mr Govindh K Bharathan, SCGSC

The application having been heard on 31.1.2001, the Tribunal
on the same day delivered the following:

O R D E R

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

The applicant who was posted as Post Master, Cherthala
on his request with effect from 21.5.97 was, by the impugned
order A-1 to be relieved by one Mr D Sasidaran and his posting
order was to be issued by the S.P.Alappuzha. Immediately

after receipt of A-1, the applicant received A-2 order dated 28.7.2000 by which he was transferred as Sub Post Master, Avalukunnu. Aggrieved by the transfer out of Cherthala before he completed the full tenure and while he had got only a few more years to retire on superannuation, he made a representation. Ultimately, the applicant was given a posting as Sub Post Master, Alappuzha IB Post Office, by order dated 6.11.2000. The applicant is further aggrieved that there is no reason why he being the seniormost BCR official should be transferred. The applicant, therefore, seek to set aside the impugned orders and a direction to the respondents to revoke A-1 and A-2 and to allow him to continue as Post Master, Cherthala H.O.

2. Learned counsel for the respondents, under instructions from the official respondents, states that the transfer of the applicant was made in public interest and it being to a place hardly 20 KMs away from Cherthala, there is no hardship to which the applicant would be subjected and that therefore, the application is devoid of merit.

3. We have heard the learned counsel on either side. The applicant's grievance that he being a senior BCR official should not be shunted to a non-supervisory post is no more relevant, as the applicant has been posted to a supervisory post. Further, in the transfer from Cherthala to Alappuzha IB Post Office, there is no change of status or emoluments involved. An officer holding a transferable post has no right

to claim that he would be retained in a particular post or in a particular station. So long as the power is exercised in public interest and is not vitiated, judicial intervention is not at all justified. We do not find any reason to entertain this application.

4. In the result, in view of what is stated above, the application is rejected under Section 19(3) of the Administrative Tribunals Act. No costs.

Dated, the 31st of January, 2001.



~~T.N.T. NAYAR~~
ADMINISTRATIVE MEMBER



~~A.V. HARIDASAN~~
VICE CHAIRMAN

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LIST OF ANNEXURES REFERRED TO IN THE ORDER:

1. A-1: True copy of the Memorandum dated 18.7.2000 issued by the Assistant Director to R-3.
2. A-2: True copy of the order dated 28.7.2000 issued by R-3 to R-2.