

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.2/2001

Monday, this the first day of January, 2001.

CORAM:

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

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

N.J.Varghese,  
Head Master,  
Senior Secondary School,  
Minicoi,  
Union Territory of Lakshadweep. - Applicant

By Advocate Mr MR Rajendran Nair

Vs

1. Union of India represented by  
the Secretary to Government of India, k  
Ministry of Home Affairs,  
New Delhi-110 001.
2. The Administrator,  
Union Territory of Lakshadweep,  
Kavarathi-682 555.
3. The Director of Education,  
Union Territory of Lakshadweep,  
Kavarathi-682 555.
4. P.Syed Mohammed,  
Assistant Headmaster,  
G.H.S., Kalpeni,  
Union Territory of Lakshadweep,  
Kavarathi-682 555.
5. M.M.Hamsakoya,  
Headmaster,  
Government High School,  
Androth,  
Union Territory of Lakshadweep,  
Kavarathi. - Respondents

By Advocate Mr PR Ramachandra Menon

The application having been heard on 1.1.2001, 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 is presently working as Head Master, Senior Secondary School, Minicoi, U.T. of Lakshadweep, aggrieved that in the order dated 2.11.2000 by which the services of the applicant have been regularised on the post of Assistant Head Master whereas his juniors, for instance, respondents 4 and 5 have been regularised as Head Masters, Senior Basic School, AEO and Assistant Head Master, in preference to him. Aggrieved by this, the applicant has made a representation A-8 to the 3rd respondent on 1.12.2000. Apprehending that before his representation is considered and disposed of, on the basis of the regularisation as AEO, his juniors would be promoted as Head Masters resulting his reversion, the applicant has filed this application impugning A-6 order to the extent he is regularised as Assistant Head Master.

2. When the application came up for hearing, learned counsel for the applicant submitted that it would meet the ends of justice if the third respondent is directed to consider A-8 representation and to give the applicant a speaking order and not to revert the applicant from the post of Head Master till a speaking order is served to him, taking into account the facts stated in the representation as also the contentions raised by the applicant in the O.A. Learned counsel for the official

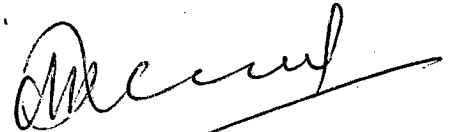
respondents has no objection in disposing of the application in the manner suggested by the learned counsel for the applicant.

3. In the light of the above submission made by the learned counsel on either side, we dispose of this application directing the third respondent to consider A-8 representation of the applicant taking into account the contentions raised in the O.A. and also to give the applicant an appropriate reply within a reasonable time. We also direct that till such an order on the representation is served on the applicant, he shall not be reverted from the post of Head Master which he is presently holding. No costs.

Dated, the 1st of January, 2001.



T.N.T. NAYAR  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

trs

LIST OF ANNEXURES REFERRED TO IN THE ORDER:

A-8: A true copy of the representation dated 1.12.2000 submitted by the applicant to the 3rd respondent.