

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.177/08

Monday this the 31 st day of March, 2008.

CORAM:

HON'BLE Dr. K.B.S.RAJAN, JUDICIAL MEMBER
HON'BLE Dr. K.S.SUGATHAN, ADMINISTRATIVE MEMBER

1. The Senior Superintendent,
RMS TV Division,
Thiruvananthapuram -36.
2. Union of India, rep. by its
Chief Post Master General,
Kerala Circle, Thiruvananthapuram -33.
3. G.Chandrasekharan Nair,
LSC, Section - 11B.

LSG Supervisor, HRO,
RMS TV Division, Thiruvananthapuram. ... Respondents
(By Advocate Shri TPM Ibrahim Khan, SCGSC(R.1&2)
The application having been heard on 31.3.2008
the Tribunal on the same day delivered the following.

ORDER

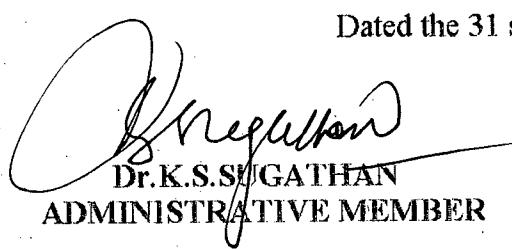
HON'BLE DR K S SUGATHAN, ADMINISTRATIVE MEMBER

Heard the learned counsel for the applicant. Shri Vishnu for Sasidharan Chempazhanthiyil and Ms.Jisha for SCGSC. The applicant is presently officiating as HSG-I in RMS 3-B, Trivandrum (Night duty). His senior colleague Smt.J.Yesoda is understood to be under posting orders. Therefore, the applicant is staking a claim to be posted in her place which is HSG-I, HSA, TVM RMS II for the reasons of health and personal inconvenience. The applicant is apprehending that the 3rd respondent may be posted in the place of Smt.Yesoda which will be against the of practice following the principle of seniority. On an earlier occasion he had vacated the post of RMS-II in favour of Smt.Yesoda on the basis of the principle of seniority. Counsel for the applicant submitted that he would be satisfied if a

direction is issued to the CPMG, (2nd respondent) to consider and dispose of the applicant's representation at Annexure A-7 and not to fill up the post of HSG-I RMS-II, Trivandrum till the disposal of his representation.

2. It is observed from the records produced that the applicant was posted to officiate as HSG I/HSA, TVM RMS-II by order dated 5.7.2007. However it was modified by order dated 20.8.2007 and the applicant's senior Smt.J.Yesoda was posted to officiate as HSG I RMS-2 and the applicant was shifted as HSG I / RMS 3-B. It is also on record that the 3rd respondent is junior to the applicant as the third respondent was promoted as LSG only in 2007, whereas the applicant has been in LSG since 2005. The applicant has submitted a representation to Senior Superintendent of Post Offices, RMS TV Trivandrum on 26.3.2008 and another representation on 29.3.08 to CPMG, Trivandrum for posting him to RMS/2. Considering the submissions made, we consider it appropriate to direct the CPMG, Trivandrum to consider and dispose of the representation of the applicant dated 29.3.2008 within a period of 15 days from today. It is also directed that the post of HSG-I / RMS 2 shall not be filled up till the representation of the applicant is disposed of. With these directions the O.A. is disposed of. Copy of the order be given to both parties.

Dated the 31 st March, 2008.



Dr. K.S. SUGATHAN
ADMINISTRATIVE MEMBER



Dr. K.B.S. RAJAN
JUDICIAL MEMBER