

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.182/04

Friday this the 12th day of March 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T.NAYAR, ADMINISTRATIVE MEMBER

V.V.Rajagopalan
S/o.P.Achuthan Nair,
GDS MD, Chorode Sub Office,
Vadakara North Sub Division,
Vadakara.

Applicant

(By Advocate Mr.M.R.Hariraj)

Versus

1. The Union of India represented by
the Secretary to the Govt. of India,
Department of Posts,
Ministry of Communications,
New Delhi.
2. The Chief Post Master General,
Kerala Circle, Thiruvananthapuram.
3. The Superintendent of Posts,
Vadakara Postal Division,
Vadakara.
4. The Sub Divisional Inspector,
Vadakara North Sub Division,
Vadakara.

Respondents

(By Advocate Mr.S.K.Balachandran,ACGSC)

This application having been heard on 12th March 2004 the
Tribunal on the same day delivered the following :

O R D E R

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

The grievance of the applicant presently working as Gramin
Dak Sevak Mail Deliverer (GDS MD for short) Chorode Sub Office,
Vadakara North Sub Division is that on his transfer to the post
of GDS MD, Nedumannur the TRCA of the applicant was fixed at the
minimum of the scale not protecting the TRCA drawn by him before
the transfer. The applicant submitted a representation (Annexure
A-6) to the 3rd respondent on 15.11.2003 stating that in view of
the decision of the Ernakulam Bench of the Central Administrative

Tribunal in O.A.405/03 the applicant was entitled to have his TRCA protected on transfer. This representation has not been considered and disposed of. Therefore the applicant has filed this application for a direction to the respondents to reckon the service of the applicant prior to his transfer to the post of GDS MD, Chorode, for all purposes including protection of TRCA and increments earned.

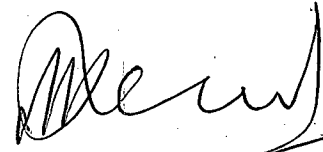
2. When the application came up for hearing Shri.S.K.Balachandran,ACGSC took notice on behalf of the respondents. The counsel agreed that the application may be disposed of with a direction to the 3rd respondent to consider Annexure A-6 representation of the applicant keeping in view the decision of the Tribunal in O.A.No.405/03 which has been upheld by the Hon'ble High Court of Kerala in Writ Petition No.30607/03 and to give the applicant an appropriate reply within a reasonable time.

3. In the light of the above submissions made by the counsel on either side the application is disposed of at this stage directing the 3rd respondent to consider the applicant's representation (Annexure A-6) in the light of the judgement of the Tribunal in O.A.No.405/03, the appeal against which has been ^{dismissed} held by the Hon'ble High Court of Kerala as frivolous and to give the applicant an appropriate reply within a period of six weeks from the date of receipt of a copy of this order. No orders as to costs.

(Dated the 12th day of March 2004)



T.N.T.NAYAR
ADMINISTRATIVE MEMBER



A.V.HARIDASAN
VICE CHAIRMAN