

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.196/2003

Dated Monday this the 7th day of April, 2003.

C O R A M

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

T.Sathy
W/o B.Sundaresan
Postwoman
Thycaud Post Office
Trivandrum.

Applicant

(By advocate Mr.Thomas Mathew)

Versus

1. Superintendent of Post Offices
South Postal Division
Trivandrum.
2. The Chief Post Master General
Kerala Circle
Trivandrum.
2. Union of India represented by
its Secretary
Department of Posts,
New Delhi.

Respondents

(By advocate Mr.M.R.Suresh, ACGSC)

The application having been heard on 7th April, 2003, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant, a member of Scheduled Tribe community, has filed this application, aggrieved by A-1 order dated 5.3.2003 by which consequent on abolition of two posts of postman of Thycaud Head Post Office, she was transferred to Tirumala in the existing vacancy. The applicant joined service in the year 1996 at Quilon Head Post Office and was on her request, transferred under Rule 38 of P&T Manual Vol.IV to Thycaud Head Post Office in the year 1997. Her grievance is that while the members of the Scheduled Caste/Scheduled Tribe communities are not to be identified for

transfer on surplusage and when there is no need to transfer the applicant, she has been transferred out of the Head Post Office. Therefore, she has filed this application seeking to set aside the impugned order of transfer.

2. When the application came up for hearing on 10.3.2003 for admission, as the Additional Central Government Standing Counsel appearing for respondents 1 to 3 did not get instructions, the case was adjourned directing the respondents to maintain the status quo as on that date as regards the posting of the applicant. Respondents have filed reply statement in which they contended that as the two posts of postman at Thycaud were abolished, the applicant and one Madhusoodanan who were the two junior most postmen were transferred to nearby offices which are located at a distance of less than 4 kilometers. It has also been stated that at the request of the applicant, a corrigendum was issued posting her to Kavadiar. The action having been taken in the exigency of service, the respondents pleaded that the Tribunal may not interfere.

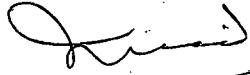
3. Applicant has filed a rejoinder reiterating her claim that there is no need to transfer her to Tirumala.

4. We have gone through the application and the annexures appended thereto and the reply statement and the material placed on record. We have also heard Mr. Thomas Mathew, the learned counsel of the applicant and Mr. M.R. Suresh, the learned counsel for the respondents. We find that the applicant has been shifted

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from one office to another within the Trivandrum Division itself and that too a nearby place. She has not been sent out of cadre. Therefore, we do not find any legitimate grievance of the applicant which calls for redressal. The application is misconceived and the same is dismissed.

Dated 7th April, 2003.



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

aa.



A.V. HARIDASAN
VICE CHAIRMAN