

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.216/2002

Thursday this the 4th day of April, 2002

CORAM

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

T.Cheriya Koya,
Block Development Officer,
Chetlat,
UT of Lakshadweep.

...Applicant

(By Advocate K.M.Mohammed Kunhi)

V.

1. The Administrator,
UT of Lakshadweep, Kavarathi.
2. The Secretary,
Administration, UT of Lakshadweep,
Kavarathi.
3. Shri P.I.Muthu Koya,
ABDO, Kalpeni

..Respondents

(By Advocate **Mr.P.R. Ramachandra Menon-for R1-2**)

The application having been heard on 4.4.2002, 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 native of Chetlat Island and working as Block Development Officer was given a posting to Chetlat Island on 21.5.2001. He requested for a transfer to Chetlat Island to facilitate fulfilment of his ambition of having a homestead constructed. The grievance of the applicant is that while the process of construction is in the midway he has now been transferred to Kalpeni Island posting the third respondent in his place. Immediately on receipt of the order of transfer, the applicant made a representation (Annexure.A3) seeking retention at Chetlat for another year, which has not been considered and disposed of.

Contd....

Coming to know that a telephonic message has been given to relieve the applicant, the applicant has filed this application seeking to set aside Annexure.A2 order of transfer to the extent it affects him and for a direction to the 1st respondent to consider Annexure.A3 representation of the applicant and to give him an appropriate reply.

2. Shri P.R.Ramachandra Menon took notice for the respondents 1&2. When the application came up for admission, counsel on either side agree that the application may be disposed of directing the first respondent to consider the Annexure.A3 representation and to give the applicant an appropriate reply keeping in view the facts and circumstances mentioned in his representation. It is also agreed that if the applicant is not already relieved, he shall not be relieved till the order on his representation is communicated on him by the 1st respondent.

3. In the light of the submission of the learned counsel on either side, we dispose of this application directing the first respondent to consider the Annexure.A3 representation submitted by the applicant with due sympathy and to give him an appropriate reply within a period of two weeks from the date of receipt of a copy of this order. We also direct that if the applicant has not already been relieved as on date, he shall not be relieved till the order of the first respondent on the applicant's representation is communicated on him. No costs.

Dated the 4th day of April, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1: Copy of the representation submitted by the applicant to the 1st respondent dated 24.1.2001.
2. A-2: Copy of transfer order No.2/3/96 dated 20.3.2002 issued by 2nd respondent.
3. A-3: Copy of representation dated 22.3.02.

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5.4.02