

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.217/07

Monday this the 2nd day of April 2007

C O R A M :

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN
HON'BLE DR.K.B.S.RAJAN, JUDICIAL MEMBER**

G.Jayalakshmi,
W/o.S.Raj,
Post Graduate Teacher (Hindi),
Kendriya Vidyalaya/Port Trust/
Willingdon Island/Cochin – 682 003.
Residing at YWCA, Ernakulam.

...Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. The Commissioner,
Kendriya Vidyalaya Sangathan,
18 – Institutional Area, Shahid Jeet Singh Marg,
New Delhi – 110 016.

2. The Regional Grievance Officer &
Education Officer,
Grievance Cell, Kendriya Vidyalaya Sangathan,
Chennai Region, IIT Campus, Chennai – 36.

...Respondents

(By Advocate M/s.Iyer & Iyer)

This application having been heard on 2nd April 2007 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

The applicant is presently working as a Post Graduate Teacher (Hindi) at Kendriya Vidyalaya, Port Trust, Willingdon Island, Kochi. She submitted that vide Annexure A-1 order she was transferred from Pattom, Trivandrum to Cochin in public interest on 2.4.2002. Since the applicant's daughter and mother requires applicant's personal attention and care she had been requesting for a transfer back to a station near Trivandrum either to Pallipuram or to Pattom. It appears that she has given a representation

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dated 18.6.2006 (Annexure A-2) which has been rejected by Annexure A-3 stating that a request for transfer does not come under the purview of grievance. Counsel for the applicant submitted that the applicant had also made another request dated 21.12.2006 in the prescribed format to the Commissioner, Kendriya Vidyalaya Sangathan and that request is still pending. Transfer is an incidence of service and falls purely within the discretion of the administrative authority. Since the applicant has already made a request, we dispose of this O.A. by directing the 1st respondent to consider the representation of the applicant dated 21.12.2006 in accordance with the rules. O.A is disposed of accordingly. No order as to costs.

(Dated the 2nd day of April 2007)


K.B.S.RAJAN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN

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