

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.236/05

Friday this the 1st day of April 2005

C O R A M :

**HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER**

K.P.Syedali,
Staff Car Driver,
Protocol, Kavaratti.
Residing at Keelaputhiya Pura House,
Kavaratti Island, Union Territory of Lakshadweep.

...Applicant

(By Advocate Mr.George Varghese Perumpallikuttiyl)

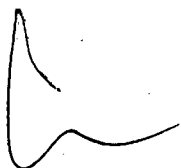
Versus

1. Union of India represented by its Cabinet Secretary,
Central Secretariat, New Delhi.
2. Union Territory of Lakshadweep represented
by its Administrator, Union Territory of Lakshadweep,
Kavaratti.
3. The Secretary, (General Administration and Services),
Union Territory of Lakshadweep, Secretariat,
Kavaratti Island 682 555.
4. Abdul Khader M.P.,
Staff Car Driver, ABDO's Office, Chetlat.

...Respondents

(By Advocate Mr.Shafik M.A.)

This application having been heard on 1st April 2005 the Tribunal on
the same day delivered the following :



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ORDER

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant is working as a Staff Car Driver in the Secretariat at Kavaratti and he is continuing in the said post from September 2004 onwards. His grievance is that vide impugned order Annexure A-1 he was transferred and posted to ABDO's office, Chetlat island. Aggrieved by the order he has filed this application seeking the following reliefs :-

1. To issue appropriate orders calling for the records leading to Annexure A-1 and quash the same in so far it transfers the applicant from Protocol, Kavaratti to ABDO's office at Chetlat.

2. To issue appropriate orders directing the 2nd respondent to consider and pass appropriate orders on Annexure A-2 representation submitted by the applicant, within such period as may be directed by this Hon'ble Court.

2. When the matter came up for hearing Shri.George Varghese Perumpallikuttiyl appeared for the applicant and Shri.Shafik M.A appeared for the respondents. Learned counsel for the applicant submitted that the applicant's family life would be jeopardised in case the transfer is made since his wife is under treatment and his son is studying in the island his presence in the Kavaratti is highly necessary and that the applicant has



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made a representation (Annexure A-2) dated 29.3.2005 to the 2nd respondent for retaining him at Kavaratti and if it is not possible, to consider for a transfer to Kadmat or Amini. He further submitted that he will be satisfied if a direction is given to the 2nd respondent to consider and dispose of Annexure A-2 representation of the applicant within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

3. In the light of what is stated above and in the interest of justice we direct the 2nd respondent to consider and dispose of Annexure A-2 representation of the applicant within a time frame of two weeks from the date of receipt of a copy of this order. We also direct that till an order on the representation is served on the applicant the status quo as on today will be maintained. The O.A is disposed of at the admission stage itself. In the circumstances, no order as to costs.

(Dated the 1st day of April 2005)



H.P.DAS
ADMINISTRATIVE MEMBER



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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