

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NO.258 OF 2008

Monday, this the 26th day of May, 2008.

CORAM :

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Dr.K.S.SUGATHAN, ADMINISTRATIVE MEMBER**

V.P.Moidu
Head Constable B.No.248
Special Branch Unit, Beypore
Kozhikode

Applicant

(By Advocate Mr.N.Nagaresh)

vs.

1. Administrator
Union Territory of Lakshadweep
Kavaratti, Lakshadweep
2. Superintendent of Police
Union Territory of Lakshadweep
Kavaratti, Lakshadweep
3. P.Ravindran
Head Constable
Agatti, Lakshadweep

Respondents

(By Advocate Mr.S.Radhakrishnan)

The application having been heard on 26.05.2008, the Tribunal on the same day delivered the following :

ORDER

HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER

In this OA, the applicant has sought a direction to the respondents 1 and 2 to permit him to continue at Beypore at least till he completes three year tenure period.

2. The brief facts of the case is that the applicant was a native of Kozhikode near Beypore. He was appointed as Constable under the Lakshadweep Administration with effect from 01.10.1976 and on

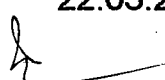


25.05.2007, he was transferred to Beypore vide Annexure A-2 Office order dated 25.05.2007. Between these two dates, he was transferred to different Islands under the Lakshadweep Administration. Now he has been promoted as Head Constable and by the impugned order dated 14.05.2008, he has been transferred back to C I HQ Office (Kavaratti). The applicant has made representations Annexures A-5 and A-6 dated 19.05.2008 and 22.05.2008 to the Superintendent of Police, i and to the Administrator, UT of Lakshadweep, Kavaratti respectively. He has requested them to retain him at SB Beypore, Calicut.

3. In the OA he has taken a specific ground that the strength of Beypore Special Branch Unit is 7 (4HCs and 3 PCs). Out of the four *Head* Constables, two had retired from service on 30.04.2008 and the strength has been reduced to 5 (2 Hcs and 3 PCs). According to the applicant, respondents could very well retain him at Beypore, without adversely affecting any other Constables.

4. In the above facts and circumstances, we are of the considered view that the OA can be disposed of at the admission stage itself by directing the 1st respondent namely, the Administrator, Union Territory of Lakshadweep to consider the representation of the applicant and to pass appropriate orders in the matter. Shri S.Radhakrishnan, learned counsel for respondents have also concurred with the aforesaid line of disposal of this OA.

5. We, therefore, dispose of this OA with a direction to the 1st respondent to dispose of the Annexure A-6 representation dated 22.05.2008 of the applicant at the earliest with a speaking and reasoned

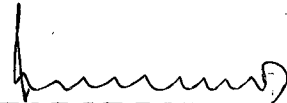


order. While passing such an order, the 1st respondent shall take into consideration of the vacancies of Head Constables available at Special Branch, Beypore. Till such time ¹⁵ appropriate orders are passed as ordered above, the status quo as on date with regard to the Applicant shall continue to be maintained by the Respondents. No order as to costs.

Dated the 26th May, 2008.



K.S.SUGATHAN
ADMINISTRATIVE MEMBER



GEORGE PARACKEN
JUDICIAL MEMBER

VS