

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 260/2001

Tuesday this the 20th day of March, 2001.

CORAM

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

B.Vinayamohanan
Extra Departmental Mail Carrier (EDMC)
Cherunniyoor Post Office
Attingal Sub Division
now residing at "Lalitham",
Perumpuzha P.O.
Kundara
Kollam District.

Applicant.

[By advocate Mr.K.K.Balakrishnan]

Versus

1. Union of India represented by
Director General of Post India
Department of Posts
New Delhi.
2. The Senior Superintendent of Post Offices
Thiruvananthapuram North Division
Thiruvananthapuram-695 001.
3. The Chief Post Master General
Trivandrum.

Respondents.

[By advocate Mr.M.Rajendrakumar, ACGSC]

The application having been heard on 20th March, 2001,
the Tribunal on the same day delivered the following:

O R D E R

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

Applicant who is working as Extra Departmental Mail Carrier at Cherunniyoor Post Office at Trivandrum North Division and Attingal Sub Division submitted a representation requesting for a transfer on compassionate grounds to the post of EDMC in Kollam Division. He was informed by the 2nd respondent by A2 order that as per the extant instructions, transfer of EDAs from one recruiting unit to another is not permissible. Aggrieved by this the applicant has filed this application praying to quash A2 impugned order and to direct the respondents to reconsider the applicant's request on compassionate grounds.

2. Mr.M.Rajendra Kumar, Additional Central Government Standing Counsel is appearing for respondents.

3. After hearing the learned counsel on either side, we find no cause of action for the applicant to maintain this application. As per the instructions contained in Director General of Post's letter dated 12.9.88 and subsequent letters, transfer of ED Agents are permitted within the recruitment unity only. The Chief Postmaster General, Kerala, therefore, considers a request for transfer out of the recruitment unit. The impugned order does not suffer from any infirmity. The applicant, therefore, does not have a valid cause of action.

4. In the light of what is stated above, the OA is rejected under Section 19 (3) of the Administrative Tribunals Act, 1985.

Dated 20th march, 2001.


T.N.T.NAYAR
ADMINISTRATIVE MEMBER

aa.


A.V.HARIDASAN
VICE CHAIRMAN

Annexures referred to in this order:

A2 True copy of the impugned order issued by the 2nd respondent dated 29.11.2000.

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