

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

D.A. 29/94

Friday, this the 7th day of January, 1994

COURT

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

C J Abraham, S/o Joseph Jose
Chethupuzha House
Kurumbanandum P.O.
Telegraphman CTD, Thiruvalla.

Applicant

(By Advocate Mr MR Rajendran Nair)

Vs.

1 The Adviser,
Human Resources Development
(Telecom Commission)
Sanchar Bhavan, New Delhi.

2 Senior Superintendent of Telegraph
Traffic, Trivandrum Division.

Respondents

(By Mr C Kochunni Nair, Senior C.G. S.C)

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant seeks to quash Annexure-I by which Respondent-2 declined to forward a petition made by applicant to Respondent-1.

2 Applicant was dismissed from service, and on revision the punishment was reduced, by an order dated 20.12.90. Long thereafter, the petition which was withheld by Annexure-I was preferred. Learned counsel for applicant would say that Respondent-2 has no authority to withhold the petition.

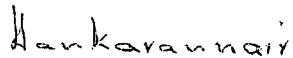
3 We do not think that we should consider such legal niceties, when the petition in question is not

referable to any provision of law. Irrespective of the phraseology in Annexure AI, it is clear that what was withheld was a letter not relatable to any statutory right. We do not think that Respondent-2 was obliged to forward every letter he received to his superior, nor do we think that this is a fit case where we should exercise our jurisdiction in favour of applicant, who has a statutory remedy under Rule 29A, to which he did not take resort.

4 Application is dismissed. No costs.

Dated the 7th January, 1994.


PV VENKATA KRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

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