

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.308/2007

Dated the 11th day of March, 2008

CORAM :

HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER

A Anwar.
Programme Executive,
Doordarshan Kendra,
Kudappanakunnu,
Trivandrum-43. ... Applicant

By Advocate Mr.Vishnu for Mr.G.S.Chempazhanthiyil

V/s.

- 1 The Director,
Doordarshan Kendra, Prasar Bharati,
Trivandrum
- 2 The Director General,
Doordarshan, Doordarshan Bhavan,
Copernicus Marg, New Delhi.
- 3 Union of India
Represented by Secretary,
Ministry of Information and Broadcasting,
New Delhi ... Respondents

Mr.M.C.Gopi for Mr.N.N.Sugunapalan Sr (R 1-2)
Mr.Shaji VA for Mr.TPM Ibrahim Khan SCGSC (R -3)

The application having been heard on 11.3.2008 the Tribunal on the same day delivered the following :

(ORDER)

Hon'ble Shri George Paracken, Judicial Member

The applicant is presently working as a Programme Executive in Doordarshan Kendra at Trivandrum. Vide Annexure A-1 common



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transfer order dated 30.5.2007, he was transferred to Doordarshan Kendra, Agarthala. Immediately thereafter, he made the Annexure A-5 representation to the 2nd Respondent, namely, The Director General, Doordarshan, Doordarshan Bhavan, Copernicus Marg, New Delhi. His contention was that his transfer was in retaliation of the Original Application No.159/2005 filed by him before this Tribunal against the respondent's order dated 25.2.2005 by which adhoc promotees including him were replaced by another set of adhoc promotees. . He has also alleged that the respondents have not followed the prescribed guidelines for transfer as he was neither the seniormost nor the juniormost for transfer. His other contention was that he has been primarily doing the work of Programme Executive for Malayalam Programmes and his posting at Agarthala, where the language is entirely different, would not be in the interest of his career. He has also pointed out the compassionate grounds that his 86 year old father is bedridden and at a collapsing stage and his widowed sister is suffering from cancer and he is the only person to look after them. Though the applicant has made the aforesaid representation on 9.5.2007, he immediately filed this OA apprehending his imminent relieving from the duty from present place of posting before disposal of his application.

2 We have heard Advocate Mr.Vishnu Chempazhanthiyil for the Applicant and Advocate Mr.M.C.Gopi for Mr.N.N.Sugunapalan Sr for Respondents 1&2 respectively. It is seen that while considering this OA at the admission stage on 15.5.2007, this Tribunal took a prima facie view of



the matter and directed the respondents to retain the applicant at Trivandrum for a period of ten days. However, since there was delay in completion of pleadings, this order continued from time to time. As a result, the applicant is still continuing on the rolls of Doordarshan Kendra Trivandrum.

3 In the reply statement, though the respondents have denied the various grounds taken by the applicant against his transfer to Doordarshan Kendra, Agarthala, it has been stated in paras 11 and 16 of their reply that the family problems of the applicant was not known to them as he had not made any representation to that effect earlier. I, therefore, consider that the Respondents should consider his grievances before any consequential action is taken on the order of his transfer to Agarthala made vide the Annexure A 1 order dated 30.5.2007. I, therefore, dispose of this OA with the direction to the 2nd respondent to consider the aforesaid representation of the applicant and to pass a reasoned and speaking order thereon, at the earliest.. Till such time, statusquo shall be maintained. There shall be no orders as to costs.


GEORGE PARACKEN
JUDICIAL MEMBER

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