

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.310/11

Monday this the 11th day of April 2011

C O R A M :

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Mr.K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

A.Viswanathan,
GDS MD, Nanniode, Palakkad. ...Applicant

(By Advocate Mr.C.S.G.Nair)

V e r s u s

1. Union of India represented by its Secretary,
Department of Posts, Ministry of Communications,
New Delhi – 110 001.
2. Director General of Posts,
Dak Bhavan, Samsad Marg,
New Delhi – 110 001.
3. Chief Post Master General,
Kerala Circle, Thiruvananthapuram.
4. The Post Master General,
Northern Region, Kozhikode.
5. Senior Superintendent of Post Office,
Palakkad Division, Palakkad – 678 001.
6. Assistant Superintendent of Post Offices,
Palakkad South Sub Division,
Palakkad – 678 001. ...Respondents

(By Advocate Mr.Pradeep Krishna,ACGSC)

This application having been heard on 11th April 2011 this Tribunal
on the same day delivered the following :-



.2.

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicant is presently working as GDS MD, Nannioode in the Palakkad Division. Initially he has sought a transfer to Chittoor when there occurred a vacancy but the same was not considered. He has submitted that presently there is a vacancy of GDS MD at Eruthempathy BO in Palakkad Division itself. He has also submitted that he is asking for a transfer to the same post in the same Division which is permissible. He has further submitted that he made the Annexure A-4 representation dated 11.12.2009 stating that his aforesaid request is fully covered by the Annexure A-3 letter No.19-10/2004-GDS issued by the Government of India, Ministry of Communications & I.T., Department of Posts, regarding "limited transfer facility to Gramin Dak Sevaks" but the same has not so far been considered and no decision has been taken. In the meanwhile, the respondents are contemplating to fill up the aforesaid post of GDS MD, Eruthempathy by way of appointing another candidate on compassionate grounds. He has, therefore, sought a declaration that he is eligible and legally entitled to seek for transfer from the post of GDS MD, Nannioode to the self same post of GDS MD, Eruthempathy within the same unit of Palakkad Postal Division in view of the fact that his mother is totally dependant on him even to move from one place to another and, therefore, he is entitled for transfer in accordance with ground V of Annexure A-3. He has also sought an interim direction to the effect that the post of GDS MD, Eruthempathy BO may not be filled up during the pendency of this OA.

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.3.

2. Shri.Pradeep Krishna,ACGSC appeared on behalf of the respondents on receipt of an advance copy of the O.A. He has submitted that the applicant has made Annexure A-4 representation on 11.12.2009 and he is not aware whether the same has been considered and any decision has been taken so far. However, he has submitted that he has no objection if a direction is given to the respondents to consider the aforesaid representation, if the same is not considered so far.

3. In the above facts and circumstances, we dispose of this O.A with a direction to the respondents to consider the aforesaid Annexure A-4 representation of the applicant seeking a transfer from Nanniode to Eruthempathy. In case, the same has already been considered, the decision shall be communicated to him and in case the same has not been considered so far, an appropriate decision shall be taken under intimation to him within a period of one month from the date of receipt of a copy of this order. Till such time, the post of GDS MD, Eruthempathy BO shall not be filled up by any other person. There shall be no order as to costs.

(Dated this the 11th day of April 2011)


K.GEORGE JOSEPH
ADMINISTRATIVE MEMBER


GEORGE PARACKEN
JUDICIAL MEMBER

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