

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A. NO. 312 OF 2009**

Tuesday, this the 9<sup>th</sup> day of February, 2010

**CORAM:**

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER  
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

M.M.Ramesan  
Telecom Mechanic  
Office of GMT, BSNL, Kottayam  
Residign at Manthattil  
Karapuzha P.O  
Kottayam

... **Applicant**

(By Advocate Mr. C.S.Manu – Not present )

versus

1. Bharath Sanchar Nigam Ltd.,  
represented by its C & MD, BSNL Bhavan  
New Delhi
2. Chief General Manager  
Telecom, BSNL, Kerala Circle  
Trivandrum
3. The General Manager  
Teelcom, BSNL, Kottayam ...

... **Respondents**

(By Advocate Mr. N.Nagaresh)

The application having been heard on 09.02.2010, the Tribunal  
on the same day delivered the following:

**ORDER**

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER**

The applicant filed this Original Application with the following  
prayers :-

- (i) To direct the respondents to consider the case of the applicant for transfer to the post of Telecom Mechanic at Velloor Telephone Exchange under the SDE, Kottayam West.
- (ii) Grant such other reliefs as may be prayed for and the Court may deem fit to grant, and

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(iii). grant the costs of this Original Application.

2. The necessary facts which are enough to consider the case are as below:-

The applicant is now working, on promotion as a Telecom Mechanic. Prior to his promotion he has already applied for a transfer to one of his native place on medical grounds and that allowed. Subsequently the applicant filed applications for transfer to Vellore in the post of Telecom Mechanic. The said applications were not considered by the respondents. Hence he filed the present Original Application.

3. Though the counsel for applicant is absent, we have considered all the averments contained in the OA. We heard the proxy counsel for the respondents and we have already gone through the materials placed on record. The question is to be considered whether the case of the applicant for an order transferring him to Vellore is justifiable or not ? As per statement filed on behalf of respondents, it is clearly stated that there are no vacancies available at Vellore and that apart two of the employees have already applied for transfer to Vellore. Actually there is no vacancy existing that of Telecom Mechanic at Vellore. If so, we see, that the OA is without any merit. However, we have considered that all these facts are annexed in Annexure A-3 representation addressed to General Manager, BSNL, Kottayam in Annexure A-3 has not stated his request for transfer to Vellore. Annexure A-2 is also there addressed to General Manager.

4. In the above circumstances, we feel that the General Manager, BSNL, Kottayam, the 3<sup>rd</sup> respondent may consider Annexure A-3 and take

appropriate decision thereon within a reasonable time, at any rate within sixty days from the receipt of a copy of this order.

5. With the above, OA is disposed of with no order as to costs.

Dated, the 9<sup>th</sup> February, 2010.

  
K. NOORJEHAN  
ADMINISTRATIVE MEMBER

  
JUSTICE K. THANKAPPAN  
JUDICIAL MEMBER

VS