

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.319/05

Tuesday this the 10th day of May 2005

C O R A M :

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

T.T.Ismail,
S/o.M.Sayed Koya,
Makkichiyoda, Kiltan Island,
Field Assistant, Fisheries Department,
Kavaratti, Lakshadweep.

...Applicant

(By Advocate Mr.M.V.John)

Versus

1. The Director of Fisheries,
Union Territory of Lakshadweep, Agathi.
2. The Assistant Director of Fisheries,
Union Territory of Lakshadweep,
Kavaratti.
3. The Administrator,
Union Territory of Lakshadweep,
Kavaratti.

...Respondents

(By Advocate Mr.Shafik M.A.)

This application having been heard on 10th May 2005 the
Tribunal on the same day delivered the following :

ORDER

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant is working as Field Assistant in Fisheries
Department, Lakshadweep and had occasion to work at Bitra Island
as well. He was finally transferred to Kavaratti and for the last three
years he is working at Kavaratti. By virtue of the impugned order
Annexure A-1 dated 23.4.2005 he has been transferred to Bitra



Island. It is averred in the application that the eldest daughter of the applicant is studying at 9th standard and the second daughter of the applicant is mentally retarded and physically handicapped. He has also produced Annexure A-2 medical certificate which shows that his daughter is having 77% permanent disability of mental and physical function in her both sides. The grievance of the applicant is that his family life will be jeopardised if the transfer order is given effect to. Therefore the applicant has filed this application seeking the following reliefs :-

1. Quash Annexure A-1 impugned order transferring the applicant from Kavaratti to Bitra passed by the 1st respondent.
2. Direct the 1st respondent either to transfer the applicant to Kiltan his native place or to retain him at Kavaratti.
2. When the matter came up for hearing Shri.M.V.John appeared for the applicant and Shri.Shafik M.A appeared for the respondents. Learned counsel for the applicant submitted that the applicant has submitted a representation (Annexure A-3 dated 30.4.2005) requesting the 3rd respondent to consider his case by posting him either at Kiltan his native place or to retain him at Kavaratti. He further submitted that he will be satisfied if a direction is given to the 3rd respondent to consider and dispose of the said representation within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.
3. In the light of what is stated above the application is disposed of directing the 3rd respondent to consider and dispose of Annexure

.3.

A-3 representation of the applicant sympathetically and pass appropriate orders within a period of two months from the date of receipt of a copy of this order. This Court also directs that the applicant shall not be relieved from Kavaratti, if he has not already been relieved, till an order on the representation is served on him. The O.A is disposed of accordingly. In the circumstances, no order as to costs.

(Dated the 10th day of May 2005)



**K.V.SACHIDANANDAN
JUDICIAL MEMBER**

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