

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 216 OF 2011

with

O.A. Nos. 240/2011 and 320/2011

Wednesday, this the 07th of December, 2011

CORAM:

HON'BLE Mr.JUSTICE P.R. RAMAN, JUDICIAL MEMBER

HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

1. O.A. No. 216/2011 :

Rajalakshmi G. Panicker
W/o. P.S. Krishnan Nair
Post Graduate Teacher (English)
Kendriya Vidyalaya, Ernakulam
Residing at A7, "Sri Hari" Apartments
Fort, Tripunithura
Ernakulam District – 683 501.

... Applicant

(By Advocate Mr.T.C. Govindaswamy)

Versus

1. The Commissioner
Kendriya Vidyalaya Sangathan
18-Institutional Area
Shaheed Jeet Singh Marg
New Delhi – 110 016.

2. The Assistant Commissioner
Kendriya Vidyalaya Sangathan
Regional Office, IIT Campus
Chennai – 600 006.

... Respondents

(By Advocate M/s. Iyer & Iyer)

2. O.A.No. 240/2011 :

Betty C. Sebastian
W/o. A. Job Mathew
Post Graduate Teacher (Economics)
Kendriya Vidyalaya, Ernakulam
Residing at House No. 29/1990-E
"Niveditha", St. Antony's Road
Thycoodam, Vyttila, Cochin – 682 019,
Ernakulam District.

... Applicant

(By Advocate Mr.T.C. Govindaswamy)

Versus

1. The Commissioner
Kendriya Vidyalaya Sangathan
18-Institutional Area
Shaheed Jeet Singh Marg
New Delhi – 110 016.
2. The Assistant Commissioner
Kendriya Vidyalaya Sangathan
Regional Office, IIT Campus
Chennai – 600 006.
3. The Principal
Kendriya Vidyalaya, Kadavanthra
Cochin – 682 020.

... Respondents

(By Advocate M/s. Iyer & Iyer)

3. O.A. No. 320/2011 :

- 1 Padmaja M.G.,
W/o. R. Girisankaran Thampi
Post Graduate Teacher (Physics)
Kendriya Vidyalaya, Shift No. I
Pattom, Pattom Palace (P.O), Trivandrum.
Residing at : "Giri Padmam", No. TC3/2072 (4)
L.I.C. Lane, Pattom, Pattom Palace (P.O)
Trivandrum – 695 004.
- 2 V. Jalajakumar,
W/o. S. Gandadharan Nair
Primary Teacher, Kendriya Vidyalaya
Shift No. 1, Pattom, Pattom Palace (P.O)
Trivandrum. Residing at : T.C. 3187 (1)
PLRA -188, Panachamoodu Lane
Pattom, Trivandrum – 695 004.
- 3 G.S. Ranjini,
W/o. A. Vikraman
Primary Teacher, Kendriya Vidyalaya
Shift No. 1, Pattom, Trivandrum.
Residing at House No. 107, "Punku"
L.I.C Lane -E, Pattom
Trivandrum – 695 004.

... Applicants

(By Advocate Mr.T.C. Govindaswamy)

Versus

1. Kendriya Vidyalaya Sangathan
18-Institutional Area
Shaheed Jeet Singh Marg
New Delhi – 110 016 – Through its
Joint Commissioner (Admn.)
2. The Commissioner
Kendriya Vidyalaya Sangathan
Regional Office, IIT Campus
Chennai – 600 036.

... Respondents

(By Advocate M/s. Iyer & Iyer)

These applications having been heard on 25.11.11, the Tribunal on 27.12.11..... delivered the following:

ORDER

HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

These O.As are filed by the Post Graduate Teachers and the Teaching Staff in Kendriya Vidyalayas, Ernakulam and Trivandrum, challenging the transfer policy of the Kendriya Vidyalaya Sangathan made effective from 01.04.2011. None of the applicants is aggrieved by any particular order issued by the authorities in Kendriya Vidyalaya Sangathan. The applicants apprehend that the transfer policy is discriminatory, arbitrary and illegal, and will cause much hardship to them. They also have some suggestions to modify the transfer policy.

2. The applicants can place their views and suggestions and apprehensions before the respondents for consideration and appropriate action. Right now the applicants have no cause for action. When a cause for action arises, they can approach this Tribunal. The O.As are, therefore, premature at this stage.

3. Without entering into a finding as to the merits of the cases, at the admission stage itself, we dispose of these O.As with a direction to the applicants to make a representation to the Commissioner, Kendriya Vidyalaya Sangathan, New Delhi, listing out their grievances in regard to the new transfer guidelines which he may consider and dispose of by a speaking order within a period of three months from the date of receipt of such representation.

4. The O.As are disposed of as above with no order as to costs.

(Dated, the 07th December, 2011)

K GEORGE JOSEPH
ADMINISTRATIVE MEMBER

JUSTICE P.R.RAMAN
JUDICIAL MEMBER

cvr.