

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 327 of 2010

Friday, this the 16th day of April, 2010

CORAM:

Hon'ble Mr. Justice K. Thankappan, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

M.P. Muthu Koya, aged 45 years, S/o. Late P. Cheriya Koya,
 Headmaster, Govt. J.B. School (North), Ameni, Union
 Territory of Lakshadweep.

Applicant

(By Advocate – Mr. P.K. Ibrahim)

V e r s u s

The Director of Education, Union Territory of
 Laksadweep, Kavaratti, Pin-682 555.

Respondent

(By Advocate – Mr. S. Radhakrishnan)

This application having been heard on 16.4.2010, the Tribunal on the
 same day delivered the following:

O R D E R

By Hon'ble Mr. Justice K. Thankappan, Judicial Member -

The applicant is now aggrieved for not transferring him to Agatti
 Government Junior Basic School on the ground that he is entitled for a
 transfer to his native place namely Agatti. The further case of the applicant
 is that by Annexure A-4 order of transfer of Junior Headmasters, his case
 has not been considered and at the same time one post of Head Master in
 Agatti namely Junior Basic School, South is still kept vacant. If so, as per
 the guidelines, the applicant is entitled for consideration of his application
 for transfer to Agatti.



2. We have heard counsel appearing for the applicant Mr. P.K. Ibrahim and Mr. S. Radhakrishnan, learned counsel appearing for the respondents on receipt of a copy of the Original Application and other documents. The fact remains that the applicant is physically handicapped person has not been disputed before us and the vacancy position also is not disputed.

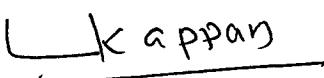
3. In the above circumstances, we feel that the Original Application can be disposed of by directing the respondent, the Director of Education, Union Territory of Lakshadweep, Kavarathi to dispose of the representation of the applicant namely Annexure A-5 on the basis of the guidelines issued by the Department and also considering the humanitarian plea that the applicant puts before us. The representation if so received, shall be considered and appropriate orders shall be passed within a reasonable time at any rate within 30 days from the date of receipt of a copy of this order. In the meanwhile, we also feel that if any post exist at Agatti namely Agatti South it shall not be filled before considering and passing appropriate orders in Annexure A-5. The applicant shall also produce a copy of this order and also a copy of Annexure A-5 to the respondent for compliance.

Ordered accordingly.

4. In view of the aforesaid, the Original Application is disposed of.


(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER

“SA”


(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER