

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 336 of 2002

Tuesday, this the 21st day of May, 2002

CORAM

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

1. C. Mathew,
S/o C. Kora,
Stenographer, Office of the
Superintendent of Post Offices,
Idukki Division, Thodupuzha,
residing at Padinjattukara Puthanveedu,
Meleperoor, Ayroor PO, Kollam.Applicant

[By Advocate Mr. M.R. Rajendran Nair]

Versus

1. The Post Master General,
Central Region, Ernakulam.
2. The Chief Post Master General,
Kerala Circle, Thiruvananthapuram.
3. Union of India, represented by the
Secretary, Ministry of Communication,
Department of Posts, New Delhi.Respondents

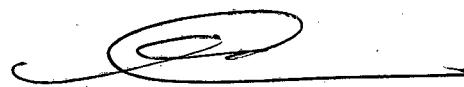
[By Advocate Mr. M. Rajeev, ACGSC]

The application having been heard on 21-5-2002, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant is a Stenographer in Kerala and posted at Trivandrum since 1982. Vide Annexure A3 he has been transferred and allotted to Idukki Division in Central Region. It is contended that Annexure A3 is in violation of Annexure A4 guidelines issued by the DG Posts dated 23-2-1998. Aggrieved by Annexure A3 transfer order, the applicant has made a representation before the DG Posts on 22-9-1998 requesting for a transfer back to any of the offices at Trivandrum or Quilon.



As per letter dated 1-12-1998 the 2nd respondent informed the applicant that there was no vacancy at Trivandrum/Quilon to accommodate the applicant before he completed normal tenure at the place of his present posting. His request was noted for consideration against unforeseen vacancy, if any, arose. The applicant approached this Tribunal by filing OA No.708/99, which was dismissed. True copy of the order is Annexure A6. True copy of the order issued by the 2nd respondent dated 1-12-1998 is Annexure A5. In furtherance of Annexures A5 and A6, the applicant waited for the completion of tenure of 4 years in Idukki Division and made Annexures A1 and A2 representations before the 2nd respondent for a transfer back to Trivandrum. As a matter of fact there is no rotational transfer ordered this year in the cadre of Stenographers in the Circle. The applicant submitted that there were other officials who have put more than 20 years continuous service in the same station who were posted in the offices situated in Trivandrum and near places. In Annexure A5, the 2nd respondent has given the applicant an assurance, which is reproduced as under:-

"At present there is no vacancy at Trivandrum/Kollam to accommodate you before you complete a normal tenure at the place of your present posting. However, your request has been noted for consideration against unforeseen vacancy, if any, arises."

2. Sri M. Rajeev, ACGSC has taken notice on behalf of the respondents and taken time for getting instructions and today when the case came up for hearing, he submitted that there is no vacancy as such available in the requested places and the case of the applicant will be considered by the respondents as and when the vacancy arises.

3. The submission of the respondents' counsel is recorded. Respondents are directed to dispose of Annexure A1 and Annexure A2 representations as expeditiously as possible by passing appropriate orders after due application of mind.

4. The Original Application is disposed of as above with no order as to costs.

Tuesday, this the 21st day of May, 2002



K.V. SACHIDANANDAN
JUDICIAL MEMBER

ak.

APPENDIX

Applicant's Annexures:

1. A-1 : True copy of the representation made by the applicant before the 2nd respondent on 5.2.2002.
2. A-2 : True copy of the representation made by the applicant before the 2nd respondent on 9.4.2002.
3. A-3 : True copy of the order No. St/51-2/97 dated 28.5.1998 issued by Director of Postal Services, Southern Region Kerala.
4. A-4 : True copy of the letter No.141-4/98-SPB-II dated 23.2.98 issued by DG Posts containing transfer policy guide lines.
5. A-5 : True copy of the order ST/51-2/97 dated 1.12.98 issued by the 2nd respondent.
6. A-6 : True copy of the order of this Tribunal in OA 708/99 dated 23.6.99.

Opp
22.5.02