

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 339 of 2009

Friday, this the 29th day of May, 2009

CORAM:

Hon'ble Dr. K.B.S. Rajan, Judicial Member

C. Surendran, S/o. Chothy, Aged 51,
 Safaiwala, Kovilthottam Light House, Kollam,
 Chennai Light House, District.
 Residing at : Thusharam, Kannana Kuzhy,
 Charum Moodu (PO), Alapuzha District.

Applicant

(By Advocate – Mr. S.S. Panicker)

V e r s u s

1. The Director, Ministry of Shipping, Road Transport and Highways, Dept. of Light House and Light ship, 5/20, Jaffar Syrang Street, Chennai - 600 001.
2. The Director General of Light House, Deep Bhavan, A-13, Sector 24, Noida-201301.
3. Union of India, represented by Secretary, Dept. of Light houses and Lightships, Chennai-600 001.

Respondents

(By Advocate – Mr. Millu Dandapani)

The application having been heard on 29.5.2009, the Tribunal on same day delivered the following:

O R D E R

Heard the learned counsel for the parties.

2. The applicant is aggrieved by his transfer order dated 19.5.2009 (Annexure A-1) whereby he has been transferred from Kovilthottam Lighthouse to Kodikkarai Lighthouse in the event of present incumbent there is due to retire on 30.5.2009. Though the applicant has put in 18 years

of service overall, according to him as he belongs to Scheduled Caste category coupled with the fact that he is low paid employee (Group-D employee), provisions do not exist for such transfer. He has also stated that he himself as well as his wife is undergoing some treatment. He has also moved a representation dated 28.5.2009 addressed to the second respondent to consider his case for retention. The said communication obviously has not been considered.

3. Taking into account the aforesaid facts, if the rule position provides for not to transfer low paid category employees/reserved category employees, respondents may keep in mind the same and dispose of the representation filed at Annexure A-9. This representation though addressed to the second respondent may conveniently be considered by the first respondent being the competent authority to pass orders relating to transfer. Respondent No. 1 may consider the representation and pass a speaking order. Till then the applicant be not disturbed from the present place of posting.

4. In view of the above, the OA stands disposed of.



(K.B.S. RAJAN)
JUDICIAL MEMBER

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