

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.346/07

Thursday this the 31<sup>st</sup> day of May 2007

**C O R A M :**

**HON'BLE DR.K.B.S.RAJAN, JUDICIAL MEMBER**

M.P.Muthu Koya,  
S/o.P Cheriya Koya,  
Primary School Teacher,  
Junior Basic School (C), Agatti.  
Residing at Mullippura House,  
Agatti Island, Union Territory of Lakshadweep.

...Applicant

(By Advocate Mr.P.K.Ibrahim)

**Versus**

1. The Director of Education,  
Union Territory of Lakshadweep,  
Kavaratti – 682 555.
2. The Headmaster,  
Junior Basic School (C), Agatti,  
Union Territory of Lakshadweep.
3. K.Hamzakoya,  
Primary School Teacher,  
Junior Basic School, Chetlat.  
Residing at Kattampally House,  
Agatti, Union Territory of Lakshadweep.

...Respondents

(By Advocate Mr.Shafik.M.A.)

This application having been heard on 31<sup>st</sup> May 2007 the Tribunal on the same day delivered the following :-

**ORDER**

**HON'BLE DR.K.B.S.RAJAN, JUDICIAL MEMBER**

The applicant, admittedly a handicapped person, having been transferred from JBS (C), Agatti to JBS, Chetlat vide Annexure A-2 order has sent a representation dated 21.4.2007 to the 1<sup>st</sup> respondent for reconsidering the transfer order dated 13.4.2007 (Annexure A-2).

The applicant relies upon the general instructions as contained in O.Ms

.2.

dated 10.5.1990 and 13.3.2002 as per which person recruited on regional basis should be posted near the native places within the region and that a request for transfer to the native place should also be given preferences. Respondents have not so far responded to the aforesaid representation dated 21.4.2007.

2. As per Annexure A-2 order the Headmasters of the Government High School should relieve the individuals transferred with direction to report to the concerned Headmasters on the re-opening date of the school after summer vacation. According to the applicant, respondent No.3 who has been posted in his place would not have been relieved so far.

3. In view of the fact that the Annexure A-3 representation is yet to be disposed of by the 1<sup>st</sup> respondent, this O.A is disposed of with a direction to the 1<sup>st</sup> respondent to consider the representation of the applicant judiciously keeping in view the Government of India instructions as stated above on the subject matter and dispose of the same within a period of one month from the date of communication of this order. Till then, the applicant shall not be relieved from the present place of posting. No costs.

(Dated the 31<sup>st</sup> day of May 2007)



**K.B.S. RAJAN**  
**JUDICIAL MEMBER**

asp