

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

DATED MONDAY THE FOURTH SEPTEMBER NINETEEN HUNDRED

EIGHTY NINE

PRESENT

Hon'ble Shri N. Dharmadan, Judicial Member

ORIGINAL APPLICATION No.352/89

Mutnuri Radha Krishna Murthy ...the petitioner

v.

1. The Secretary,
Ministry of Information & Broadcasting,
Government of India,
Sastribhavan,
NEW DELHI
2. The Chief Producer, Films Division,
Ministry of Information and Broadcasting
Government of India,
24-Dr. G. Deshmuk Marg,
BOMBAY -26
3. The Administrative Officer,
Films Division, Ministry of Information
and Broadcasting, 24-Dr.G.Deshmuk Marg,
BOMBAY -26

... the respondents

M/s. M. Lalitha Nair & S.M. Prem : petitioner's
counsel

Mr. P.V. Madhavan Nambiar SCGSC : Respondents's
counsel

JUDGMENT

The petitioner while working as Salesman in
the Film Division of the Ministry of Information and
Broadcasting at Trivandrum approached this Tribunal with
the grievance that the respondents are not granting him

any transfer to his native place viz. Hyderabad, in spite of repeated requests. It is also submitted that he has now been reverted as Senior Bookie and the reversion order has been challenged before the Tribunal in a separate Original Application and it is pending.

2. The petitioner belongs to Andhra Pradesh and he is seeking for a transfer over to that place from 1985 onwards. He is to retire in December 1990. He filed representations before the third respondent requesting for a transfer to his native place from 1985. All his requests have been turned down by the third respondent stating that his case will be considered when vacancy arises in the post of Salesman. From the latest order Annexure A-5, it is seen that the petitioner has not been transferred to Hyderabad even though a vacancy arose in 1988. But a person newly selected by UPSC was posted to Hyderabad Branch very recently without considering the case of the petitioner to that vacancy. However, the third respondent should take into consideration the fact that the petitioner has less than two years of service and hence he deserves a posting to his native place on compassionate grounds.

3. The arguments of the learned counsel for the respondents were also heard in this matter, but I feel that the case can be disposed of with the following directions in the interest of justice.

- i) The petitioner shall file a detailed representation stating all his grievances before the third respondent within two weeks from today.
- ii) If such a representation is filed the third respondent shall consider the same, uninfluenced by any of the statements in Annexure A-5, and pass appropriate orders within a month from the date of receipt of the representation, considering the special aspects and circumstances pointed out by the petitioner.

5. The Original Application is disposed of with the above observations.

6. There will be no order as to costs.


(N. Dharmadan)
Judicial Member
04.09.1989

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