

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.372/05

Tuesday this the 31st day of May 2005

C O R A M :

**HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER**

K.Attakoya,
Lecturer in Physical Education,
Govt. Mahatma Gandhi Senior Secondary School,
Androth Island, Union Territory of Lakshadweep.
Residing at Kunhali House, Androth,
Union Territory of Lakshadweep.

...Applicant

(By Advocate Mr.VD Balakrishna Kartha)

Versus

1. Union of India represented by Administrator,
Union Territory of Lakshadweep,
Kavarathi.
2. Director of Education,
Kavarathi, Union Territory of Lakshadweep.
3. Tom Mathew,
Lecturer in Physical Education,
Govt. Jawaharlal Nehru Senior Secondary School,
Kadamath, Union Territory of Lakshadweep.

...Respondents

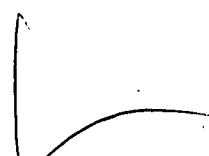
(By Advocate Mr.S.Radhakrishnan)

This application having been heard on 31st May 2005 the Tribunal on the same day delivered the following :

ORDER

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

The applicant is a native of Androth Island and is working as Lecturer in Physical Education in Govt. Mahatma Gandhi Senior Secondary School. On completion of various coaching camps the respondents have handed



over a transfer order (Annexure A-8) to the applicant transferring him from Androth to Kadamath and Shri.Tom Mathew from Kadamath to Androth. According to him no public interest is served by this transfer order. The applicant had already made a representation (Annexure A-6 dated 5.5.2005) to the Administrator, Union Territory of Lakshadweep, Kavarathi (1st respondent) which has not been considered and disposed of so far. Therefore he has filed this application seeking the following reliefs :-

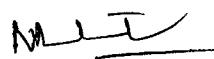
1. To call for the records leading to the issue of Annexure A-8 order dated 2.4.2005 of the 2nd respondent and to set aside the same.
2. To declare that the applicant is entitled to continue in the present station as Physical Education Lecturer till the study of the child is over.
2. When the matter came up for hearing Shri.VD Balakrishna Kartha appeared for the applicant and Shri.S.Radhakrishnan appeared for the respondents. Learned counsel for the applicant submitted that he will be satisfied if a direction is given to the 1st respondent to consider and dispose of Annexure A-6 representation of the applicant within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.
3. In the light of what is stated above the application is disposed of directing the 1st respondent to consider and dispose of Annexure A-6 representation of the applicant within a period of one month from the date of receipt of a copy of this order. In the interest of justice this Court also directs that Annexure A-8 transfer order shall be kept in abeyance till an order on the representation is served on the applicant. Further the 1st



.3.

respondent is directed to give a personal hearing to the applicant, if so requested by the applicant. O.A is disposed of accordingly. In the circumstances, no order as to costs.

(Dated the 31st day of May 2005)



N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER

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K.V.SACHIDANANDAN
JUDICIAL MEMBER