

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.382/2000

Wednesday this the 26th day of April, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

K. Sasidharan Nair, aged 44 years  
S/o Achuthan Nair, EDMC  
Chennerkara residing at Punnakal,  
Vadakkupuram PO, Near  
Vadakkupuram Konnithazham,  
Kozhencherry Taluk, Pathanamthitta.

..Applicant

(By Advocate Mr. M.R. Rajendran Nair)

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1. Union of India, represented by  
the Secretary to Government,  
of India, Ministry of Communications,  
New Delhi.
2. The Chief Post Master General,  
Kerala Circle, Trivandrum.
3. The Superintendent of Post Offices,  
Pathanamthitta Division,  
Pathanamthitta.
4. The Assistant Superintendent of  
Post Offices, Pathanamthitta Sub Division,  
Pathanamthitta.

...Respondents

(By Advocate Mr. K.R. Rajkumar, ACGSC)

The application having been heard on 26.4.2000, the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant presently working as Extra  
Departmental Mail Carrier (EDMC for short) Chenneerkara  
submitted Annexure.AI request for transfer and appointment  
to the post of EDDA, Kizhakupuram in the same Sub  
Division. Finding that the respondents are taking steps  
for filling up the post by direct recruitment from open  
market, the applicant has filed this application for a  
declaration that he is entitled to be appointed by  
transfer as EDDA, Kizhakupuram in preference to outsiders

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and for a direction to the respondents to consider the applicant for appointment by transfer to the post of EDDA, Kizhakupuram in preference to open market candidates.

2. When the application came up for hearing Shri K.R.Rajkumar, learned counsel for the respondents states that in view of the ruling of the Tribunal in O.A.45/98 the respondents do not wish to contest the application and that the applicant's request may be granted.

3. In the light of the submission of the learned counsel for the respondents and in view of the ruling of the Tribunal in O.A.45/98, wherein it has been held that when working E.D.Agents applies for transfer to another E.D.Post in the same place or station, he can be appointed without even putting to a competition alongwith outsiders, the application is allowed. The respondents are directed to first consider the request of the applicant for transfer and appointment as EDDA, Kizhakupuram along with any other application from other working E.D.Agents and that only if a working E.D.Agent who applies for transfer is found unsuitable or ineligible, recruitment from open market should be resorted to. There is no order as to costs.

Dated the 26th day of April, 2000



G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

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List of annexures referred to:

Annexure.AI: True copy of the request for transfer made by the applicant to the 4th respondent dated 14.2.2000.

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