

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.393/98

Friday, this the 13th day of March, 1998.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR SK GHOSAL, ADMINISTRATIVE MEMBER

A Ramachandran,
Server in the Office of the
Catering Supervisor,
Vegetarian Light Refreshment Room of
Southern Railway,
Ernakulam Town Railway Station. - Applicant

By Advocate Mr Asok M Cherian

Vs

1. The Divisional Commercial Manager for Catering,
Southern Railway,
Thiruvananthapuram.
2. The Catering Supervisor,
Vegetarian Light Refreshment Room of
Southern Railway,
Ernakulam Town Railway Station,
Ernakulam. - Respondents

By Advocate Mrs Sumathi Dandapani

The application having been heard on 13.3.98, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicant who is a Server in the office of the Catering Supervisor, Vegetarian Light Refreshment Room of Southern Railway, Ernakulam Town Railway Station, is aggrieved by the order dated 25.2.98 A-1 of the first respondent transferring him to work to Trivandrum - Gowhati Express with immediate effect. The applicant has stated that as his old

ailing mother needs his personal care, it would be very difficult if the impugned order of transfer is given effect to, and that he has, on 4.3.98 made a representation to the first respondent which remains not responded to. Therefore the applicant has filed this application seeking to have the impugned order of transfer quashed.

2. We have heard Shri Asok M Cherian, the counsel for applicant and the standing counsel for respondents. We have also seen the application and the connected records. As transfer is a routine administrative matter and as there is no allegation of malafides, we are not inclined to interfere with the order. It is the prerogative of the official superior competent to transfer an official to take an appropriate decision in regard to transfer of an official working under him. Judicial intervention will cause difficulty in smooth running of the administration and therefore, it is not justified unless it is called for owing to vitiating circumstances. No such circumstances appear to be available here. However, while declining to grant the relief, we grant liberty to the applicant to bring to the notice of the first respondent his personal problems in the form of a representation within two weeks which the first respondent shall consider and give an appropriate reply within a month thereafter. The application is closed as aforesaid. No costs.

Dated, the 13th March, 1998.


(SK GHOSAL)
ADMINISTRATIVE MEMBER


(AV HARIDASAN)
VICE CHAIRMAN

trs/16398

LIST OF ANNEXURE

Annexure A-1 : Order No.V/C. 93/Staff IV dated 25-2-98
of the 1st respondent.

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