

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.41/2000

Thursday this the 13th day of January, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. J.L. NEGI, ADMINISTRATIVE MEMBER

1. P.K.Gopalakrishnan Nair
S/o Kuttappan Nair,
aged 47 years, Phone Mechanic,
Palikathode, residing at
Harimangala Appartments,
Anikadu PO.
2. V.K.Krishnankutty S/o C.K.Keshavan Nair,
aged 44 years, Phone Mechanic,
Pampady, residing at Vavelickal House,
Boothakuzhi PO, Pampady, Kottayam.
3. P.V.Janardhana Pillai S/o Velayudhan Nair,
aged 46 years, Phone Mechanic,
Pampady, residing at Perumana House,
Manthuruthy PO,
Nedumkunnu, Kottayam.Applicants

(By Advocate Mr. MR Rajendran Nair/Hariraj)

V.

1. The Divisional Engineer,
Telecom, Matithara Buildings,
Baker Junction, Kottayam.
2. The Sub Divisional Engineer
(Groups), Telecom, Palikkathode
3. The Sub Divisional Engineer
(Groups), Telecom, Pampady.
4. The General Manager,
Telecom, Kottayam.
5. Union of India, representred by its
Secretary to Government of India,
Department of Telecommunications,
New Delhi.Respondents

(By Advocate Mr.K. Kesavankutty)

The application having been heard on 13.1.2000, the
Tribunal on the same day delivered the following:

O R D E R

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

All the three applicants who are Phone
Mechanics are aggrieved that they are not being given

change of section and therefore, they made representations for change of section (Annexures A2, A3(a) and A3(b)). Finding that there is no response they have jointly filed this application for a direction to the respondents to consider the claim of the applicants for change of section and to allot them Line work by ensuring a fair and reasonable distribution of work among Phone Mechanics, on a rotation basis and to frame a uniform basis/guidelines for detailing the Phone Mechanics for their duties thereby ensuring that all the Phone Mechanics do the cable jointing work on a rotational basis and to distribute work among the phone mechanics on the basis of such uniform basis/guidelines.

2. On a careful scrutiny of the application and the annexures appended thereto and on hearing the learned counsel of the applicant and Shri K.Kesavankutty, learned Addl.Central Govt. Standing Counsel appearing for the respondents, we do not find any legitimate grievances of the applicants which call for redressal. The applicants are Phone Mechanics and are posted as such. There is no change of emoluments or status. It is the prerogative of the competent authority in the department to deploy its employees in sections where their services can be best utilised and it is not for the Tribunal to dictate which employee should be posted in which section. It is alleged in the application that in the absence of any guidelines regarding posting in different sections the powers for posting in sections are being exercised arbitrarily. In the absence of any allegations of malafides or that the power is utilised to achieve any oblique motives, judicial intervention with routine administrative

matters like posting of officials in different sections cannot be justified.

3. In the result, finding that there is no legitimate cause of action of the applicants which calls for adjudication, the application is rejected under Section 19(3) of the Administrative Tribunals Act. There is no order as to costs.

Dad the 13th day of January, 2000

J.L.NEGI
J.L.NEGI
ADMINISTRATIVE MEMBER

A.V. Haridasan
A.V. HARIDASAN
VICE CHAIRMAN

|ks|

List of Annexures referred to:

Annexure.A2: True copy of the representation dated 22.11.1999 submitted by the 1st applicant to the 2nd respondent together with the English TRanslation of the Same.

Annexure.A3(a) True copy of the representation dated 29..1199 submitted by the 2nd applicant to the 3rd respondent together with the English Trans- lation of the Same.

An nexure.A3(b) True copy of the representation dated 29..11.-99 submitted by the 3rd applicant to the 3rd respondent together with the English Tranlat- ion of the Same.