

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

Tues Day the First Day of September  
ONE THOUSAND NINE HUNDRED AND EIGHTY SEVEN

: PRESENT :

THE HON'BLE MR.B.N.JAYA SIMHA: VICE-CHAIRMAN  
AND  
THE HON'BLE MR.D.SURYA RAO: MEMBER.

ORIGINAL APPLICATION NO. 532/87

Between:-

M. Madhu



And

.....Applicants.

- 1) The Flag Officer Commanding-in-Chief, Head Quarter, Eastern Naval Command, Visakhapatnam.
- 2) the Commanding officer, INS, Circa, Visakhapatnam.

.....Respondents.

Application under Section 19 of the Administrative Tribunals Act, 1985 praying that in the circumstances stated therein the Tribunal will be pleased to set aside the impugned movement order 270/2, at 24/8/87 together with the transfer order CEI/0717/CEI, at 13-8-87 issued by the II<sup>nd</sup> respondent and I<sup>st</sup> respondent respectively.

ORIGINAL APPLICATION NO. 532 OF 1987

(ORDERS OF THE TRIBUNAL)

The applicant herein seeks to question the order dated 24-8-1987 issued by the second respondent directing the transfer of the applicant to INS Chilka in Orissa from Visakhapatnam, where the applicant is working as Civil Educational Instructor in the Naval Establishment. He states that his earlier transfers to Chilka from Visakhapatnam were cancelled on the ground that he was suffering from myo-cardial trouble and was operated for the said disease, and that such medical facilities are not available at Chilka. On this ground alone, the applicant has been continuing at Visakhapatnam since 1980. The applicant goes on to state that pursuant to letters dt. 13-1-1987 and 14-8-1987 of the Naval Headquarters, New Delhi to the Headquarters, Eastern Naval Command, Visakapatnam, the authorities at Visakhapatnam should explore all possibilities to bring back all instructors who were transferred from Visakhapatnam to Chilka and the same could not be implemented for one reason or the other. The applicant further states that his wife is

working as Vice Principal of the Naval School, Visakha-  
patnam and that husband and wife should be retained at  
one place as per the Government of India's orders  
dated 21-10-37 and 20-5-78.

2. We have heard Sri Shaik Shah Ali, for the  
applicant and Sri G. Parameswara Rao for Sri K. Jagannadha  
Rao, Central Government Standing Counsel, for the Res-  
pondents. The transfer of an employee from one place  
to another is <sup>a</sup> purely administrative function and is  
done in accordance with the exigencies of service.  
The applicant has not produced copies of any  
of the representations stated to have been submitted  
to the authorities for reconsidering his transfer by  
the authorities. He has only produced a copy of the  
representation dated 27-8-1987 made by his wife.

It is for the administrative <sup>to consider these grounds</sup> ~~to consider these grounds~~  
<sup>of his</sup> representation ~~raised~~ and to deal with the request of the applicant.

This Tribunal will not <sup>ordinarily</sup> interfere with the <sup>orders</sup> ~~matters~~  
of transfer. No grounds of malafide have been raised.

In the circumstances, we see no merit in the application and it is accordingly dismissed. There will be no order as to costs.

*B.N.Jayasimha*  
(B.N.JAYASIMHA)  
Vice-Chairman.

*D.Surya Rao*  
(D.SURYA RAO)  
Member (Judl.)

1st September, 1987.

RSR<sup>o</sup>