

(33)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 717/97.

Dt. of Decision : 10-06-97

Smt. A. Sandhya Rani

.. Applicant.

VS

1. The Sub-Divisional Officer,
Telecom, Madanapalle.
2. The Sub-Divisional Engineer,
Telecom (Groups), Madanapalle,
Chittoor District.
3. The Telecom District Manager,
Chittoor District, Tirupati-501.
4. The Chief General Manager,
Telecommunications, Sanchar Bhavan,
Abids, Hyderabad-1. .. Respondents.

Counsel for the applicant : Mr. S. Ramakrishna Rao

Counsel for the respondents : Mr. V. Rajeswara Rao, Addl. CGS^C.

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. The applicant joined as Telephone Operator on 29-12-81 at Hyderabad. When she ~~got~~ married she applied her transfer to Tirupati under Rule 38 of P&T Manual Vol.IV. She was transferred to Madanapalle as Telephone Operator on her request. Her husband who was a State Government official had also managed to come to Madanapalle after she joined at Madanapalle. In the meantime the Telephone Operator posts at Madanapalle was surrendered and all the Telephone Operators were made surplus due to introduction of STD and other facilities. In view of the surrender of the posts and the Telephone Operators made surplus she was posted as TOA under ~~3-2~~ till the cadre conversion of the applicant from Telephone Operator to TOA is approved by CGM, Hyderabad as can be seen from Memo No.E/11-10/TO/80 dt. 15-6-93 (Annexure-IV at Page-19 of the OA). She was also relieved to join to the TOA post by memo No.E/61/TRFS/XIII/81 dt. 18-6-93. Her name was deleted from the cadre strength of Telephone Operators as can be seen from memo No.Transfs./93-94/JTO(TKS)/MDP/166 dt. 19-6-93 (Annexure-VI at page-21 of the OA). That the matter stood thus the memo No.E/11-10/TO/192 dt. 17-4-97 (Annexure-II at page-15) was issued transferring some of the TS/TSOs/TOs to the various places of Telephone Exchanges noted ~~against~~ that order. In that order the name of the applicant was not included. The Memo dated No.E/11-10/TO/II/20 17-4-97 was superseded by the Memo dated 6-5-97 (Annexure-III at page-17 of the OA) was issued transferring the Telephone Operators to other places. The applicant as per this order was

transferred as Telephone Operator under the Telecom District Manager, Tirupati. This transfer order dated 6-5-97 was also superceeded by the transfer order therein memo No. E/11-10/TO/ II/23 dated 19-5-97. As per this latest order, the applicant was posted at Tirupati. The applicant alleges that the order dated 6-5-97 and 19-5-97 was issued in favour of some of the Telephone Operators of Madanapalle Telephone Exchange. The applicant had submitted a representation dated 12-5-97 (Page-29 of the OA) requesting R-4 to retain her at Madanapalle itself as TOA. That representation is still to be disposed of.

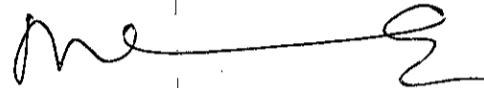
3. This OA is filed praying for a direction to R-3 to retain her at Madanapalle as TOA in view of her family circumstances cancelling her transfer order dated 6-5-97.
4. It is not known what action was taken for the letter dated 15-6-93 whereby a proposal was sent for the cadre conversion of the applicant from the post of Telephone Operator to the post of TOA. In the mean time the applicant was posted to Tirupathi as Telephone Operator by the impugned order dated 6-5-97. Against that order she has appealed to R-4 by her representation dated 12-5-97. In the facts and circumstances of the case I feel that the applicant's representation dated 12-5-97 should be disposed of before implementing the impugned order dated 6-5-97. If the cadre strength of TOA under R-4 is not fully occupied and if there is a vacancy in the cadre strength of TOA under R-1 still and ^{no} _{anybody} is posted, then she should be continued as TOA in that post till such time her representation dated 12-5-97 is disposed of.

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5. In the result, the following direction is given:-

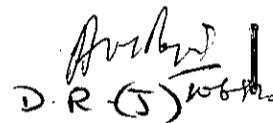
The applicant should be continued as TOA under R-1 if there is a vacancy and no posting order has been issued to fill up the vacancy under R-1, then the applicant should be continued as TOA under R-1, till such time the representation addressed to R-4 dated 12-5-97 is disposed of.

6. The OA is ordered accordingly at the admission stage itself. No costs.



(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 10th June 1997.
(Dictated in the Open Court)


D.R. (J) 106th

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(Registry should send a copy of the OA along with the judgement to R-4)

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Copy to:

1. The Sub Divisional Officer, Telecom, Madanapalle.
2. The Sub Divisional Engineer, Telecom (Groups), Madanapalle, Chittoor District.
3. The Telecom District Manager, Chittoor District, Tirupathi.
4. The Chief General Manager, Telecommunications, Sanchar Bhavan, Abids, Hyderabad.
5. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT, Hyderabad.
6. One copy to Mr.V.Rajeswara Rao, Addl-CGSC, CAT, Hyderabad.
7. One copy to O.R(A), CAT, Hyderabad.
8. One duplicate copy.

YLKR

126/97
12/6/97

Oct today
Ex-1

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED: 10/6/87

ORDER/JUDGEMENT

M.A./R.A/C.A. NO.

in

O.A. NO. 717/87

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

new copy sent to AY

YLKR

II Court.

केन्द्रीय प्रशासनिक विधिकरण
Central Administrative Tribunal

प्रिय/DESPATCH

11 JUN 1997 *Ning*

हृदयनगर प्रशासनिक
HYDERABAD BENCH