

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00423/18

Thursday, this the 13th day of December, 2018

Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member

M.K.Rajappan, 58 years
S/o.P.C.Kunjukunju, Principal
K.V No.1,Naval Base, Kochi-4
Residing at:KV No.1 Staff Quarters
Principal quarters, Naval Base
Kochi – 4

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Applicant

(By Advocate Mr.N.Raghuraj)

Vs.

1. The Commissioner
Kendriya Vidyalaya Sangathan
No.18, Institutional Area, Shaheed Jeet Singh Marg
New Delhi – 110 016
2. The Deputy Commissioner
Kendriya Vidyalaya Sangathan
Regional Office, Ernakulam
Kochi – 682 020
3. The Chairman,Vidyalaya Management Committee
Kendriya Vidyalaya No.1, Naval Base
Kochi -4. (Commodore, INS Garuda,
Naval Base, Kochi – 4)

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Respondents

(By Advocate – Mr.V.V.Asokan,Sr with Mr.K.I.Mayankutty Mather)

This Original Application having been heard on 10.12.2018, the Tribunal on the same day delivered the following

ORDER (ORAL)

Per: Mr.E.K.Bharat Bhushan, Administrative Member:

A copy of the order dated 30.11.2018 issued by the Assistant Commissioner (Vigilance) was produced as bench mark by Shri.Vineeth Komalachandran representing Mr.V.V.Asokan,Sr with Mr.K.I.Mayankutty Mather, learned counsel for the respondent, Kendriya Vidyalaya Sangathan. It is seen that by this order further transfer from Palakkad to Kendriya Vidyalaya, N.A.D, Alwaye has not been permitted on the ground that frequent changes have an adverse effect on the administrative functioning of the Vidyalaya and also academic continuum. It is seen that the O.A had been filed challenging the initial transfer to a school in Andhrapradesh and this having been cancelled, there is nothing more remaining in this Original Application to consider. Hence the Original Application is closed with liberty to the applicant to approach this Tribunal again, if he is so wishes. No costs.

2. M.A 180/1160/2018 seeking a direction to the respondents for posting him at Kendriya Vidyalaya NAD Alwaye is closed.

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

List of Annexures

Annexure A1 - True copy of Office order bearing F.No.11048/1-1/2017-KVS(Estt.-I)/3284-3292 dated 11.5.2018 issued from the office of the 1st respondent.

Annexure A2 - True copy of Relieving order bearing No.Nil dated 12.5.2018 issued from the office of the 3rd respondent.

Annexure A3 - True copy of the transfer guidelines relating to the post of Principal of the year 2017 downloaded from the website of the Kendriya Vidyalaya Sangathan

Annexure A4 - True copy of the communication bearing No.F.31046/2018/KVSRO(EKM) dated 11.5.2018 issued by the 3rd respondent

Annexure A5 - True copy of the certificate issued from the General Hospital, Ernakulam, Kochi dated 15.5.2018

Annexure A6 - True copy of communication bearing No.F.31350/KVS/RO/EKM/2017-18/4348 dated 25.9.2017, along with its enclosure

Annexure A7 - True copy of reply given by the applicant under No.KV I Kochi/2017-2018/352 dated 9.10.2017, addressed to the 2nd respondent

Annexure A8 - True copy of anonymous complaint along with a letter issued by a 'nominee' of the 3rd respondent, along with the anonymous complaint dated 5.12.2017

Annexure A9 - True copy of reply to Annexure A-8 submitted by the applicant dated 7.12.2017

Annexure A10 - True copy of memorandum from the 1st respondent under No.F.31062/DP-III/2018-KVS(Vig)/9460-9463 dated 27.4.2018

Annexure A11 - True copy of detailed reply against Annexure A-10 submitted by the applicant

Annexure R2(a) - True copy of the Enquiry Report

Annexure R2(b) - True copy of the letter issued by Commodore Sandeep Chakravarti, Command Education Officer of the Southern Naval Command, Kochi

Annexure R2(c) - True copy of the letter issued by the applicant to the 2nd respondent

- Annexure R2(d) - True copy of the Office Order issued by the office of the 2nd respondent
- Annexure R2(e) - True copy of the details of the handing over items
- Annexure R2(f) - True copy of the Complaint registered in Centralized Public Grievance Redress and Monitoring System (CPGRAMS)
- Annexure R2(g) - True copy of the letter issued by the Chairman of Vidyalaya Management Committee(VMC), KV No.1, Naval Base Commodore. R.R.Ayyar
- Annexure R2(h) - True copy of the complaint filed by Master Arjun Thankappan before the Minister of Women and child Development
- Annexure R2(i) - True copy of the notice issued by the National Commission for Protection of Child Rights (NCPCR)
- Annexure R2(j) - True copy of the notice issued by the National Human Rights Commission
- Annexure R2(k) - True copy of the Relieving Order of the applicant
- Annexure R2(k) 1 True copy of the Joining letter issued by the applicant
- Annexure R2(k) 2 True copy of the relieving order
- Annexure R2(k) 3 True copy of the joining letter of the applicant
- Annexure R2(k) 4 True copy of the relieving order
- Annexure R2(k) 5 True copy of the joining letter of the applicant in KV No.2 Kasaragod
- Annexure R2(k) 6 True copy of the relieving order
- Annexure R2(k) 7 True copy of the joining letter by the applicant
- Annexure A 12 - True copy of Office Order dated 22.11.2017 issued by the applicant
- Annexure A13 - True copy of communication bearing F.No.31063/DISCP/2016-17/KVS(EKMR) dated 5.12.2017, issued by the KVS Regional Office
- Annexure A-14 - A true copy of the representation dated 17.9.2018