

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01729/2018

Dated Monday the 31st day of December Two Thousand Eighteen

CORAM: HON'BLE MR. R. RAMANUJAM, Member (A)

G.Suresh,
Type-3, No. 2024,
Central University Residential Campus,
Nagakudi, Thiruvavur 610005.

....Applicant

By Advocate M/s. R.Arumugam

Vs

1.The Commissioner,
Kendriya Vidyalaya Sangathan,
Head Quarters, 18 Institutional Area,
Shahid Jeetsingh Marg,
New Delhi 110016.

2.The Deputy Commissioner,
Kendriya Vidyalaya Sangathan,
Chennai Region,
IIT Campus, Adayar,
Chennai 600036.

3.The Principal,
Kendriya Vidyalaya,
CUTN Campus,
Nagakudi, Thiruvavur 610005.

....Respondents

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant has filed this OA seeking the following reliefs :

"Call for the records pertaining to the 2nd respondents impugned memorandum bearing No. F. 17046/16/2018-19/KVS(ChER) dated 21.12.2018 and consequent 3rd respondent's relieving order bearing No. F.No. KV/CUTN/TVR/2018-19 dated 21.12.2018 and quash the same as illegal and direct the respondents to permit the applicant to rejoin for duties at the 3rd respondent Vidyalaya.

- a. Costs of this Original Application be paid by the respondents.
- b. Pass such further or and other order as may be required in facts and circumstances of the case."

2. It is submitted that the applicant had been transferred on administrative grounds from Thiruvarur to Dharmapuri with immediate effect by an order dt. 21.12.2018. Even before the applicant could receive a copy of the order, he was relieved by an order dt. 22.12.2018. Aggrieved by such action, the applicant has filed this OA.

3. Learned counsel for the applicant would submit that the applicant had been put to undue difficulties by such transfer which is allegedly against the transfer policy of the respondents. He would allege that a transfer could only be recommended by a duly constituted committee for this purpose and the applicant's transfer had been made arbitrarily without receiving any recommendation from the committee.

4. On perusal, it is seen that the applicant has not made any representation to the competent authority against the impugned order. Under such circumstances, I am of the view that since the applicant's grievance is directed against the order

of the 2nd respondent, he could be permitted to make an appeal to the 1st respondent regarding his grievance within a period of one week from the date of receipt of a copy of this order. On receipt of such appeal, the 1st respondent shall consider the matter in accordance with rules/transfer policy and pass a reasoned and speaking order within a period of three months thereafter.

5. OA is disposed of at the admission stage.

(R. Ramanujam)
Member(A)
31.12.2018

SKSI