

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

OA.No.390/2019

Dated Friday, the 22nd day of March, 2019

PRESENT

**Hon'ble Mr.R.Ramanujam, Administrative Member
&
Hon'ble Mr.P.Madhavan, Judicial Member**

Anandharaj,
S/o.Mr.Durai,
Quarantine Quarters,
No.115, Velacheri Main Road,
Pallikaranai, Chennai 100

...Applicant

By Advocate M/s J.Arokhiaraj

Vs.

1.Government of India,
Rep., by its Secretary, Ministry of Agriculture,
Department of Animal Husbandry, Dairying &
Fisheries, Krishi Bhavan, New Delhi 110 001.

2.The Director (I&C),
Department of Animal Husbandry, Dairying &
Fisheries, Krishi Bhavan, New Delhi 110 001.

3.The Under Secretary,
Admin:III, Department of Animal Husbandry, Dairying &
Fisheries, Krishi Bhavan, New Delhi 110 001.

4.The State Commissioner for the Differently Abled,
No.5, Kamarajar Salai, Lady Wellington College Campus,
Chennai 600 005.

5.The Quarantine Officer,
Animal Quarantine and Certification Service,
No.115, Velachery main Road,
Pallikaranai, Chennai 600100.

...Respondents

By Advocate Mr.M.Kishore Kumar

ORDER

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

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“Direct the respondent to set aside the transfer order vide F.No.01-15/2019/AQCS/98 dated 11.02.2019 issued by the 5th respondent to make sure the applicant is sustained in service at current Chennai branch in consideration with, being the applicant is 80% disable and being applicant confirmation is still pending for more than 2 years and thus render justice.

(ii)Pass such other order as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.”

2. The applicant is aggrieved by Annexure A-7 Office Order dated 11.02.2019 by which he was relieved along with the post from Animal Quarantine and Certification Services, Chennai on 11.02.2019 (AN) to join duty at Animal Quarantine and Certification Services, Bangalore in terms of a transfer order dated 06.02.2019. It is submitted that the applicant had written to the 5th respondent regarding his grievance by Annexure A-8 letter dated 11.02.2019. However, the applicant now wishes to submit a representation to the competent authority seeking cancellation of the transfer on personal grounds of 80% disability and he would be satisfied if the

competent authority is directed to consider the same and pass appropriate orders within a time limit to be set by the Tribunal.

3. Mr.M.Kishore Kumar takes notice on behalf of respondents no.1,2,3 & 5 and submits that there would be no objection to considering any representation from the applicant if made without any further loss of time. However, the present status of the applicant is not known as in terms of the impugned order dated 11.02.2019, the applicant had already been relieved.

4. Keeping in view the limited relief urged, we deem it appropriate to dispose of this OA with permission to the applicant to file a proper representation before the competent authority within three days from today. On receipt of such representation, the competent authority shall consider the same and pass a reasoned and speaking order keeping in view their transfer policy, the applicant's alleged personal disability and public interest within a period of two weeks thereafter.

5. At the request of the counsel for the applicant, status quo as on today with regard to the applicant shall be maintained in the mean time. His absence from duty till the date of disposal of his

representation as above could be regularized as leave if applied and eligible for.

6. OA is disposed of.

(P.MADHAVAN)
MEMBER(J)

(R.RAMANUJAM)
MEMBER (A)

22.03.2019

M.T.