



## GOVERNMENT OF KERALA

### Abstract

Local Self Government Department – Town & Country Planning - Order dated 26.10.2018 of the Hon'ble Kerala Administrative Tribunal in M A No. 2248/2018 filed by Sri. M. Vivek, L.D Clerk in the OA No.785/2018 filed by Sri.Vinod Kumar T.K, Senior Clerk – Complied with - Orders issued.

### LOCAL SELF GOVERNMENT (E.U.) DEPARTMENT

G.O.(Rt.)No.103/2019/LSGD

Dated, Thiruvananthapuram 19/01/2019

Read:- 1. G.O (P) No. 12/99/P&ARD Dated. 24.05.1999

2. Proceedings No. A2/1488/2018 dated 14.05.2018 of the Chief Town Planner.

3. Order dated 26.10.2018 of the Hon'ble Kerala Administrative Tribunal in M A No. 2248/2018 filed by Sri. M. Vivek, L.D Clerk in the OA No.785/2018 filed by Shri.Vinod Kumar T.K, Senior Clerk.

4. Letter No.A2/5271/2018 dated 19.12.2018 from the Chief Town Planner, Thiruvananthapuram.

### ORDER

The Hon'ble Kerala Administrative Tribunal as per the order read as 3<sup>rd</sup> paper above has disposed of the M A. No. 2248/2018 filed by Sri. M. Vivek, L.D Clerk in the OA No.785/2018 filed by Shri.Vinod Kumar.T.K, Senior Clerk with a direction to the respondents to take a decision over the dispute regarding the transfer of Sri. M. Vivek, L.D Clerk and Sri.Vinod Kumar T.K, Senior Clerk.

2. As per the order read 2<sup>nd</sup> as above, Sri.M.Vivek, L.D.Clerk and Sri.Vinod Kumar.T.K, Senior Clerk were transferred to the office of the Town Planning Office, Palakkad and Chief Town Planning Office, Thiruvananthapuram respectively. Aggrieved at the above order, Sri.Vinod Kumar.T.K filed O.A before the Hon'ble Kerala Administrative Tribunal and subsequently the transfer order has been stayed temporary.

3. Government have examined the matter in detail in the light of report furnished by the Chief Town Planner. The applicant has stated in the representation that he was appointed under Compassionate Employment Scheme and his option is Palakkad District. He also stated that his mother is under treatment and his presence is necessary to look after her. It is validated that Sri. M. Vivek, L.D Clerk was appointed under Compassionate Employment Scheme. Even though he opted for Palakkad District, he was given posting in Thiruvananthapuram and working there since 2011. As

per the G.O read 1<sup>st</sup> paper above, the candidates appointed under Compassionate Employment Scheme have the right to opt the district for appointment and in case they are appointed in a district other than the district opted, they are to be transferred to the district of option at the earliest opportunity of arising vacancy in the category without losing the seniority. The Chief Town Planner has reported that there is no vacancy to post Sri. Vivek in Palakkad District. Government are hence pleased to direct the Director of Urban Affairs to post Sri. M. Vivek, L.D. Clerk in the next arising vacancy of L.D Clerk in Palakkad District without loss of seniority.

4. The order of the Hon'ble Kerala Administrative Tribunal read as 3<sup>rd</sup> paper above is thus complied with.

**(By Order of the Governor)**  
**S. MOHANDAS**  
**ADDITIONAL SECRETARY**

To

The Chief Town Planner, Thiruvananthapuram.

The Principal Accountant General (A&E)/(Audit), Kerala, Thrissur.

The Advocate General, Hon'ble Kerala Administrative Tribunal,

Thiruvananthapuram (with covering letter)

The officers concerned. (through the Chief Town Planner).

The Executive Director, Information Kerala Mission, Thiruvananthapuram.

The Stock File.

Forwarded/By Order



Section Officer.