

GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Establishment - OA No. 1871/2016 filed by Shri. Shajikuttan. T, LDC/BC, Kollam Corporation - Order dated 08.08.2016 of the Hon'ble Kerala Administrative Tribunal - Complied with - Orders Issued.

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No: 493/2017/LSGD. Dated, Thiruvananthapuram, 21.02.2017.

Read : 1) Order No. E4-13521/16 dated 04.08.2016 of the Director of Urban Affairs, Thiruvananthapuram.
2) Appeal Petition dated 06.08.2016 submitted by Shri. Shajikuttan.T, LDC/BC, Kollam Corporation.
3) Order dated 08.08.2016 of the Hon'ble Kerala Administrative Tribunal in O.A. 1871/16 filed by Shri. Shajikuttan.T.
4) Letter No. E7 22804/16 dated 12.01.2017 from the Director of Urban Affairs, Thiruvananthapuram,.

ORDER

As per Order read as 1st paper above, the Director of Urban Affairs issued transfer and postings in the cadre of LDC/ Bill Collector and transferred Shri. Shajikuttan, LDC/BC from Kollam Corporation to Punalur Municipality. Against the said Order, he filed appeal petition read as 2nd paper above before Government. He also filed OA No. 187/2016 before the Kerala Administrative Tribunal. The Kerala Administrative Tribunal vide order read as 3rd paper above directed the 1st respondent, Secretary to Government, Local Self Government Department to take appropriate decision on the appeal petition in accordance with law after

giving an opportunity of being heard to the applicant and others if any likely to be affected by the decision.

2. In the appeal petition, Shri. Shajikuttan mentioned about his wife who is unemployed, aged and ailing parents and having a son having 2¹/₂ years . His parents are residing with him and his father's one leg has been amputated recently as he has been suffering from diabetic disease. He is a native of Chembooru, which is 20 km. away from Neyyattinkara in Thiruvananthapuram District. The present station (Kollam) is also not convenient for him to take care of his family affairs. Even then, the applicant has been managing the affairs as there is train facility from Neyyattinkara to Kollam. His prayer is to retain him in Kollam Corporation. His senior who have completed more than 7 years in Kollam are retained while transferring the applicant. The applicant has not applied for transfer and although the applicant is transferred out, no substitute has been posted in Kollam Corporation which shows that the posting is not for administrative convenience as referred to in transfer order.

3. As directed in the order dated 08.08.2016 of Hon'ble Kerala Administrative Tribunal, the Under Secretary, Local Self Government Department heard the applicant on 30.12.2016. In the hearing, he reiterated the facts pointed out in appeal petition. His plea was to retain him in Kollam Corporation.

4. Government have examined the matter in detail and taking into consideration of the facts submitted by the incumbent in his appeal and during the personal hearing and, keeping the norms of transfer and vacancy position in view, Government dispose off the appeal petition by ordering that the order of Director of Urban Affairs, transferring Shri. Shajikuttan.T to Punalur is cancelled and that Shri. Shajikuttan.T, LDC shall be posted by Director of Urban Affairs in one of the 3 existing vacancies of LDC/ Bill Collector in Kollam Corporation.

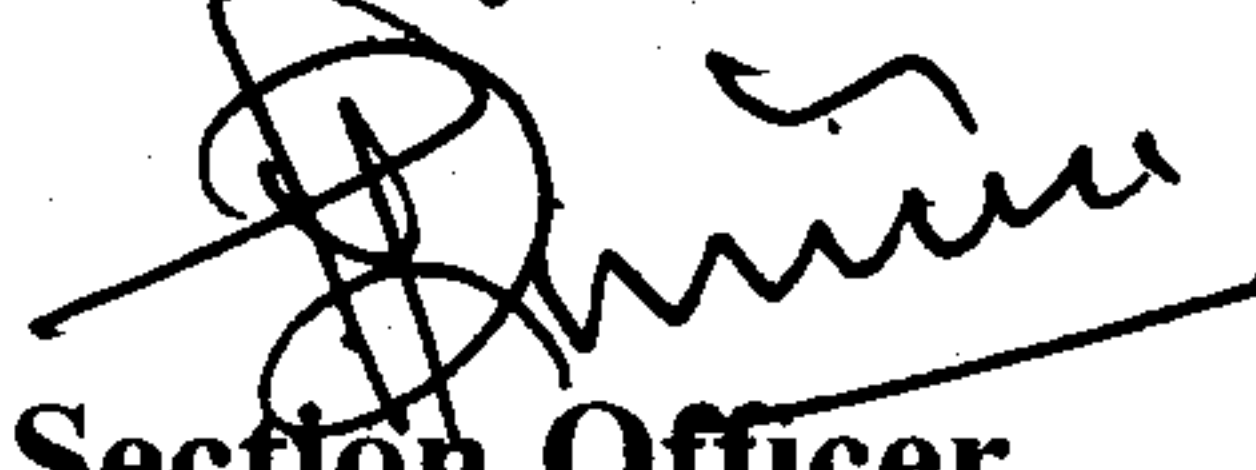
6. The direction contained in the order read as 3rd paper above of the Hon'ble Kerala Administrative Tribunal is complied with as noted above.

(By Order of the Governor)
S. MOHANDAS,
JOINT SECRETARY.

To

The Director of Urban Affairs, Thiruvananthapuram.
The Advocate General, Thiruvananthapuram.
Director, Kerala State Audit Department, Thiruvananthapuram.
Shri. Sajikkuttan.T, LDC/Bill Collector, Kollam Corporation.
The Executive Director, Information Kerala Mission,
Thiruvananthapuram.
Stock File/Office Copy.

Forwarded by Order


Section Officer.