

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

OP (KAT) .No. 60 of 2015 (Z)

AGAINST THE ORDER/JUDGMENT IN OA 180/2015 of KERALA
ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM DATED 12-02-2015

PETITIONER(S) /PETITIONER:

V.GOPI, AGED 55 YEARS,
CIVIL POLICE OFFICER A 4022,
TRIKKUNNAPUZHA POLICE STATION,
S/O. VASU, AT PRESENT RESIDING AT KRISHNALAYAM,
KAPPIL EAST, KAYAMKULAM-690 533.

BY ADV. SRI.M.G.SREEJITH

RESPONDENT (S) /RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HOME AFFAIRS,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
2. DISTRICT POLICE CHIEF,
DISTRICT POLICE OFFICE, ALAPPUZHA - 688 001.
3. SUPERINTENDENT OF POLICE,
OFFICE OF THE SUPERINTENDENT OF POLICE,
ALAPPUZHA - 688 001.

BY SRI.S.JAMAL, SR.GOVERNMENT PLEADER

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP
FOR ADMISSION ON 08-04-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

OP(KAT).No. 60 of 2015 (Z)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1- COPY OF THE ORIGINAL APPLICATION (EKM) 180/2015
PAGES 1 TO 7 ALONG WITH THE ANNEXURE-A1 TO ANNEXURE A5
PRODUCED BY THE PETITIONER PAGES 8 TO 16.

EXHIBIT P2- COPY OF THE ORDER PASSED BY THE HON'BLE
ADMINISTRATIVE TRIBUNAL, KERALA IN O.A. 180 (EKM) OF 2015
DATED 12-02-2015.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

PA TO JUDGE.

THOTTATHIL B.RADHAKRISHNAN &
K.HARILAL, JJ.

.....
OP(KAT) No.60 of 2015
.....

Dated this the 8th day of April, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

1.This is an original petition under Article 227 of the Constitution of India. Under challenge is a decision of the Kerala Administrative Tribunal refusing to interfere with an order of transfer made within the District. Petitioner is a civil police officer. He is due to retire on 30.04.2015. He was transferred out on public interest. Initially, the Tribunal had, in an earlier round, directed re-consideration on the basis of the representation that the petitioner would make before the District Police Chief. The District Police Chief has taken stock of the relevant factors and has transferred him to yet another station. The petitioner is, however, insisting that he should be posted in a place of his choice. The learned Tribunal has noted in the impugned order on the basis of the submissions that there are serious allegations against the petitioner. On the totality of the facts and

circumstances, we think that the District Police Chief having shown courtesy of not initiating any disciplinary proceedings, if there were allegations of indiscipline, order of transfer did not warrant interference at the hands of the learned Tribunal.

2. For the aforesaid reasons, we do not find that there is any error of jurisdiction or illegality committed by the Tribunal in dismissing the petitioner's original application. This original petition, therefore, fails.

In the result, this original petition is dismissed in limine.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(K.HARILAL, JUDGE)