

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00043/2020 in & OA/310/00140/2020

Dated Friday the 24th day of January Two Thousand Twenty

**CORAM : HON'BLE MR. P. MADHAVAN, Member (J)
HON'BLE MR. T. JACOB, Member (A)**

V.Rajamanickam, Rtd. Tech/Grade I, SSE/BRI/MAS/S.Rly, No. 9, 1st Street, Shobana Nagar, Menambedu, Ambattur, Chennai 600053.

....Applicant

By Advocate M/s. Ratio Legis

Vs

1.Union of India, rep by The General Manager, Southern Railway, Park Town, Chennai 3.

2.The Senior Divisional Personnel Officer, Chennai Division, Southern Railway, NGO Annex, Park Town, Chennai 600003.

....Respondents

By Advocate Mr. P. Srinivasan

ORAL ORDER**(Pronounced by Hon'ble Mr. P. Madhavan, Member(J))**

Heard. MA filed for condonation of delay of 416 days in filing this OA is allowed. Delay condoned. Registry to number the OA for record purposes.

2. The applicant has filed this OA seeking the following relief :

"To call for the records related to the impugned order No. M/P3/500/PA2017/138 dated 25.09.2017 and to quash the same and further to direct the respondents to make necessary entries in the PPO/PPA and to pay 'the Fixed Medical Allowance' and to make further order/orders as this Hon'ble Tribunal may deem fit and proper and thus render justice."

3. The applicant's case is that the applicant joined the Railway Service on 27.07.1970 and retired on 30.11.2009 as Stationary Plant Attendant. The applicant exercised his option for Fixed Medical Allowance vide letter dt. 14.07.2017 since his Pension Payment Order indicated as 'RELHS opted' against the column 'Medical Allowance'. The said request was rejected stating that the option could be exercised only once. The applicant made a representation dt. 23.03.2019 for sanction of Fixed Medical Allowance which is still pending for consideration.

4. When the matter came up for hearing, learned counsel for the applicant produces a copy of the clarification dt. 15.09.2009 issued by the Railway Board and submits that the applicant would be satisfied if the competent authority is directed to consider the representation in the light of the aforesaid Railway Board clarification within a stipulated time limit.

5. Mr. P. Srinivasan, Sr. Standing Counsel for Railways takes notice for the

respondents.

6. **In view of the limited relief sought and without going into the merits of the case, we deem it appropriate to direct the competent authority to consider the representation of the applicant dt. 23.03.2019 (Annexure A4) in accordance with law, relevant rules and regulations and in the light of the aforementioned Railway Board clarification dt. 15.09.2009 and pass a reasoned and speaking order within a period of four months from the date of receipt of a copy of this order.**

7. OA is disposed of at the admission stage. No costs.

(T.Jacob)
Member(A)

(P. Madhavan)
Member(J)

24.01.2020

SKSI