

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00261/2020

Dated Thursday the 8th day of April Two Thousand Twenty One

CORAM : HON'BLE SHRI. S. N. TERDAL, Member (J)
HON'BLE SHRI. T. JACOB, Member (A)

(Through Video Conferencing)

G.M.Manoj, S/o. G. Magendran,
No. 19/53, Phase III, Thiru Nagar,
Villivakkam, Chennai 49.Applicant

By Advocate M/s. G. Elanchezian

Vs

1.Union of India rep by the Principal Director (F & A),
Central Institute of Plastic Engineering & Technology,
Department of Chennai and Petro Chemicals,
Ministry of Chemicals & Fertilizers,
Government of India,
Head Office, T. v. K. Industrial Estate, Guindy, Chennai 600032.

2.The Director & Head of
Central Institute of Plastic Engineering Technology,
CSTS-Samathuvapuram,
Madurai 110.Respondents

By Advocate Mr. M. T. Arunan

ORAL ORDER**(Pronounced by Hon'ble Shri. S. N. Terdal, Member(J))**

The reliefs prayed for in this OA is as follows:

"To call for the records connected in CIPET HO/PD-NP/SO-GMM/AA III/2020, dated 22.01.2020 passed by the 1st respondent and quash the same and consequently direct the respondents to allow the applicant to continue in service based on the appointment order dated 27.09.2019 and pass such other order (or) orders as this Hon'ble Tribunal may deem fit and proper in this circumstances of the case and thus render justice."

2. Heard Mr. G. Elanchezhiyan, counsel for the applicant & Mr. M. T. Arunan, counsel for the respondents.
3. Perused the OA and all the documents.
4. The short issue involved in this matter is that as per the impugned letter dt. 22.01.2020 (Annexure A19 of the OA that the applicant), without official permission the applicant got himself medically examined at MIOT Hospitals Private Limited and the said medical examination is against clause 15 of the offer of appointment letter.
5. It is an admitted fact that the applicant after undergoing the entire selection process, was recommended for the post of Accounts Assistant Gr. III and that on the basis of the said medical examination at MIOT Hospitals Private Limited, he joined duty on 30.10.2019 and he was allowed to work for one day ie., upto 31.10.2019. But however, later on it was discovered that his medical examination was not in a CIPET empanelled hospital.
6. We have perused the impugned letter dt. 22.01.2020. Counsel for respondents vehemently and strenuously submits that the applicant has not

undergone the medical examination in a CIPET empanelled hospital and he has not taken prior permission for undergoing medical examination in MIOT Hospitals Private Limited and therefore the impugned order dt. 22.01.2020 is legal and cannot be set aside.

7. As averred by the respondents in their reply, the applicant has already been recommended after going through the entire selection process, the only question is regarding his medical fitness. In view of the facts narrated above, we are of the view that the respondents may send the applicant to a Government hospital and the said Government hospital may constitute a special medical board for the medical examination of the applicant as per the applicable rules and the said medical board may examine the applicant as per the requirement of the respondents for the said post of Accounts Assistant Grade III and submit a medical report to the respondents and the respondents may act on the said report as per law. The respondents are directed to comply with this order of requesting the concerned Government hospital for the examination and secure the report within a period of two months from the date of receipt of a copy of this order. The applicant is directed to cooperate with the respondents and with the hospital authorities.

8. OA is disposed of accordingly. No costs.

(T.Jacob)
Member(A)

(S.N.Terdal)
Member(J)

08.04.2021

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