

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNALKULAM BENCH

OA No.477/2003

Thursday this the 12th day of June, 2003.

C O R A M

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

T.K.Radhakrishnan
S/o Kuttappan
Gangman, Ottakkal Railway Station
Southern Railway, Kottayam. *
Residing at Ottackkal P.O.
Kollam

Applicant

(By advocate Mr.S.R.Manoj)

Versus

1. The Assistant Personnel Officer
Divisional Office, Southern Railway
Madurai.
2. The Chief Personnel Officer
Southern Railway, Headquarters Office
Chennai.
3. The General Manager
Southern Railway
Headquarters Office
Chennai.
4. Union of India represented by the
General Manager
Southern Railway,
Madras.

Respondents

By advocate Smt.Rajeswari Krishnan)

The application having been heard on 12th June, 2003, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

The applicant, T.K.Radhakrishnan, while working as Senior Gangman attached to the Ottakkal Section of the Southern Railway, is stated to have sustained serious head injuries on account of a fall on the railway track on 7.9.99, leading to his treatment at General Hospital, Punalur and at the Medical College Hospital, Trivandrum. Subsequently, according to the applicant's averments, he underwent a surgical operation on his head and is

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still under treatment. He has filed a medical certificate issued by the Divisional Medical Officer, Shencottah. Although the applicant informed the Divisional Office about his health condition by letter dated 13.9.99, he did not get any special disability leave. The applicant has been declared unfit for employment for classes B1 & B2 and is found fit only for classes C1 and below where the job is likely to be of sedentary nature with adverse consequential effect like reduced salary and allowances. He made A-2 representation stating the above facts and requesting the first respondent - The Assistant Personnel Officer, Divisional Office, Southern Railway, Madurai - to take necessary measures to grant him special disability leave, hospital leave and other related benefits and also to review the order of demotion whereby he would have to do the job of only sedentary nature. Apparently this representation has not been disposed of. Hence the applicant has filed this application for setting aside the order dated 30.6.2000, copy of which is not filed along with the OA, and for a direction to the respondents to issue orders granting full benefits under the Special Disability Leave and all attendant benefits from the date he sustained the injuries. The applicant has also made an alternative prayer for directing the first respondent to dispose of A-2 representation within a reasonable time frame.

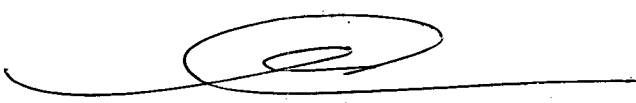
2. When the matter came up for hearing on admission, Smt. Rajeswari Krishnan, the learned counsel for the respondents, stated that the respondents would have no objection to consider and dispose of the applicant's A-2 representation within a time

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frame as specified by the Tribunal and pass appropriate orders thereon on the basis of available records and in accordance with the rules, instructions and orders on the subject. The learned counsel of the applicant agrees to this.

3. In the light of the above submissions, we dispose of this application directing the first respondent to consider the representation of the applicant A-2 or any fresh representation the applicant may like to make to the first respondent, within 2 weeks from today and pass appropriate orders with a copy to the applicant within 2 months after expiry of the said period of 2 weeks. No costs.

Dated 12th June, 2003.



K.V. SADHIDANANDAN
JUDICIAL MEMBER



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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