

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.72/09

Friday this the 6th day of February 2009

C O R A M :

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER

E.Moideen,
S/o.Enu,
Licensed Porter, Badge No.23,
Southern Railway, Ottappallam R.S & P.O.
Residing at Thekkumuriyil Veedu,
Railway Station Road, Ottappalam,
Palghat District.

...Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by the General Manager,
Southern Railway, Headquarters Office,
Park Town PO, Chennai – 3.
2. The Senior Divisional Personnel Officer,
Southern Railway, Palghat Division,
Palghat.
3. The Chief Medical Director,
Medical Branch, Southern Railway,
M.M.Complex, Chennai.

...Respondents


(By Advocate Mr.Thomas Mathew Nellimoottil)

This application having been heard on 6th February 2009 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

According to the applicant, he is a Licensed Porter of the Southern Railway, Palghat Division, working at Ottappalam Railway Station with Badge No.23. He has been working in that capacity with effect from 5.2.1987. Under the relevant rules and instructions he has sought absorption as Trackman. The respondents have conducted medical



examination but he was not found fit. Thereafter, he requested for a re-medical examination. He has also submitted that such requests for re-medical examination has been accepted by the Railways in respect of other employees who have been declared medically unfit earlier. He has, therefore, made Annexure A-2 representation dated 28.7.2008 to the 2nd respondent, namely, the Senior Divisional Personnel Officer, Southern Railway, Palghat followed by Annexure A-3 representation dated 15.11.2008 to the 3rd respondent, namely, the Chief Medical Director, Southern Railway, Chennai.

2. We have heard Shri.Shyam Raj G on behalf of Shri.T.C.Govindaswamy for the applicant and Shri.Thomas Mathew Nellimoottil for the respondents. In the above facts and circumstances of the case, we are of the considered opinion that this OA can be disposed of at the admission stage itself without any reply from the respondents. Accordingly, we direct the 2nd respondent, namely, the Senior Divisional Personnel Officer, Southern Railway, Palghat to look into the aforesaid representations of the applicant and take a decision in accordance with the extant rules and communicate the same to the applicant within a period of one month from the date of receipt of a copy of this order. The OA is disposed of accordingly. There shall be no order as to costs.

(Dated this the 6th day of February 2009)


K.NOORJEHAN
ADMINISTRATIVE MEMBER


GEORGE PARACKEN
JUDICIAL MEMBER

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