

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.16/11

Thursday this the 20th day of September 2012

C O R A M :

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

K.S.Madhusudhanan,
GDSSV, Alappuzha North Post Office, Alappuzha.
Residing at Kalakkal Parambil, Arattuvazhy Ward,
Alappuzha District.

...Applicant

(By Advocate Mr.Joby Cyriac)

V e r s u s

1. The Assistant Superintendent of Post Offices,
Alappuzha Sub Division, Alappuzha – 688 011.
2. The Superintendent of Post Offices,
Alappuzha Division, Alappuzha – 688 012.
3. The Chief Postmaster General,
Kerala Circle, Thiruvananthapuram.Respondents

(By Advocate Mr.Sunil Jacob Jose,SCGSC)

This application having been heard on 20th September 2012 this
Tribunal on the same day delivered the following :-

O R D E R

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

The applicant was originally functioning as GDSSV in Alappuzha
North Post Office. Due to abolition of the post of GDSSV, the applicant
was to be redeployed. Accordingly, orders were passed posting him as
GDSMD at Punnappa North Post Office. Annexure A-4 refers. As the



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applicant was suffering from certain critical ailments, according to him, he is not in a position to undertake cycling which is required very much to perform his official duties. He has, therefore, prayed for the following prayers :-

1. To set aside Annexure A-4 order of redeployment as GDSMD.
2. To issue an order directing the 1st respondent to allow the applicant to continue as GDSSV in the Alappuzha North Post Office or in the alternative redeploy the applicant to any other suitable post except the post of GDSMD.
3. To issue such other order or direction as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

2. Respondents have contested the O.A. According to them, the applicant underwent surgery as early as in 2009 and he was functioning as Postman which also requires cycling, from 22.1.2009 to 24.11.2010.

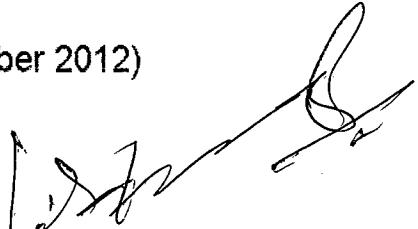
3. When the case came up for final hearing, counsel for the applicant submitted that the applicant would be glad enough to function as GDSMD if only he is medically fit to have cycling ride. He has suggested that if necessary the respondents may be directed to refer the applicant to a Government Hospital to examine his physical condition in this regard. Counsel for the respondents also has no serious objection to the same. The Tribunal feels that latest medical test would be by far better in such matters.

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4. Accordingly, this O.A is disposed of with a direction to the 2nd respondent to liaise with the Government Hospital authorities for constituting a Medical Board so that on an appointed date the applicant may be asked to present himself before them for medical examination from the point of view whether the applicant will be in a position to undertake cycling for performance of his official duties. Till then, the applicant shall continue in the same place and function as GDSMD. The respondents shall initiate action in this regard within a period of one month from the date of communication of this order. No costs.

(Dated this the 20th day of September 2012)


K.NOORJEHAN
ADMINISTRATIVE MEMBER


Dr.K.B.S.RAJAN
JUDICIAL MEMBER

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