

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 366/2003

Tuesday, this the 29th day of April, 2003.

C O R A M

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

P. Balakrishnan (No.3),
Clerk/Typist, O/o. the A.G. (A&E), Kerala, Br. Thrissur,
Now residing at "Revathy", C/o. Rajmohan,
Mangalakkal, Kattakada P.O.,
Thiruvananthapuram.

..Applicant

[By Advocate Mr. K.K. Mohammed Ravuf.]

v e r s u s

1. The Accountant General (A&E),
Kerala, Thiruvananthapuram.
2. The Senior Deputy Accountant General (Admin),
O/o. A.G. (A&E), Kerala,
Thiruvananthapuram.
3. The Deputy Accountant General (A&E),
O/o. A.G. (A&E), Kerala,
Branch Thrissur.
4. Union of India represented by
The secretary,
Ministry of Finance,
Central Secretariat,
New Delhi.

Respondents

[By Advocate Mr. T.C. Krishna, ACGSC.]

(The application having been heard on 29.04.2003, this
Tribunal on the same day delivered the following)

O R D E R

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

The applicant is working as Clerk/Typist in the office of
the Accountant General (A&E), Kerala, Thrissur Branch. For the
last several years he has been ailing on account of what is
described as "Deep Vein Thrombosis" and other related disorders.
The Annexures A/3, A/4 and A/5 give the details of applicant's
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ailment and treatment therefor. The applicant seems to have undergone treatment even under the Indigenous Systems of Medicine as is clear from A/6. At present, he is under the treatment of Sree Chitra Tirunal Institute for Medical Sciences and Technology (Sree Chitra, for short), Trivandrum. As per Annexure A/2 medical certificate issued by Sree Chitra Tirunal, the applicant has to go to that Institute for regular follow up for appropriate treatment from time to time. According to the applicant, he has shifted his residence to Trivandrum for the purpose of availing his medical treatment at Sree Chitra, although his place of duty is at Trissur. In view of the extremely great hardship in managing his medical treatment at Trivandrum while applicant's official station is at Thrissur, he has been making representations for a transfer to Trivandrum, but to no avail. A/10 and A/11 representations dated 31.1.2002 and 1.3.2002 respectively are yet to be acted upon by the respondents. Accordingly, the applicant has come up with this O.A. mainly seeking orders of this Tribunal for appropriate direction to respondent No. 2 to allow the applicant's prayer to transfer from Thrissur office to the main office at Trivandrum.

2. When the matter came up for consideration for admission, Shri T.C. Krishna, learned ACGSC, took notice on behalf of the respondents and sought time to file a detailed reply statement. However, in view of the learned counsel for the applicant's stated to the effect that the applicant would be satisfied if he was permitted to file a detailed representation amplifying the representations already made and highlighting further facts as reflected in the certificate issued by the Sree Chitra Tirunal
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Institute vide Annexure A/2 and if the respondents are directed to consider and dispose of the matter favourably. It is pointed out by the learned counsel for the applicant that if the respondents are kind enough to transfer the applicant to Trivandrum, the applicant will be able to get his health conditions monitored and also do his official duties with greater ease. The learned ACGSC has been fair enough to state that if the representation is made on the basis of A/2 medical certificate explaining the applicant's present position, the respondents would consider the same and pass appropriate orders within a specified time frame. Learned counsel for the applicant agrees to this and seeks two weeks time to make the representation on the basis of the A/2 medical certificate issued by Sree Chitra.

3. On the basis of the submissions of the learned counsel on either side, I consider it proper to dispose of the O.A. by permitting the applicant to make a detailed representation on the basis of his medical status as reflected in the A/2 certificate issued by the Sree Chitra Tirunal Institute within two weeks from today and directing the respondents to consider the same judiciously and take a decision on transferring the applicant to Trivandrum in order that he might receive medical treatment

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uninterruptedly and be enabled to discharge his official duties effectively. The respondents are directed to pass appropriate orders as expeditiously as possible and in any case, within four weeks from the date of receipt of the representation from the applicant.

4. The O.A. is disposed of as above with no order as to costs.



(T.N.T. NAYAR)
ADMINISTRATIVE MEMBER

cvr.