



WEB COPY

W.P.No.29468 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **18.03.2026**

CORAM

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

W.P.No. 29468 of 2025

and

W.M.P.Nos.33026 and 33027 of 2025

1. The Union of India,

Rep.by The Chairman,

Railway Recruitment Cell,

5, Dr.P.V.Cherian Crescent Road,

Egmore, Chennai – 600 008.

2. The Principal Chief Medical Director,

IV, Floor, Moore Market Complex,

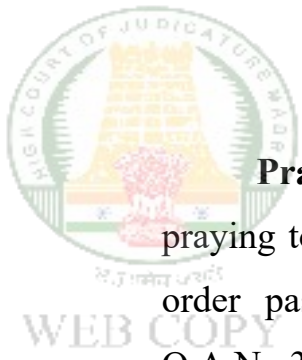
Southern Railway, Chennai – 600 003.

.... Petitioners

Vs

M.Nandha Gopal

.... Respondent



Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying to issuance of Writ of Certiorari, to call for the records relating to the order passed by the Central Administrative Tribunal, Chennai Bench in O.A.No.395 of 2023 dated 30.01.2025 and quash the same.

For Petitioner(s): Mr.V.Chandrasekaran

For Respondent(s): Mr.G.Veerapathiran

ORDER

(Order of the Court was made by P.Velmurugan J.)

This Writ Petition has been filed challenging the order dated 30.01.2025 passed in O.A.No.395 of 2023 by the Central Administrative Tribunal, Chennai.

2. It is the case of the petitioners-Railway Recruitment Cell that the recruitment process was initiated by the Railway Recruitment Boards, Ministry of Railways through Centralized Employment Notification (CEN) No.02/2018 dated 10.02.2018 for recruitment to various posts in Level 1 of the 7th CPC pay matrix. The respondent submitted his online application on 24.02.2018, claiming Scheduled Caste status and Persons with Disability (PWD) / Hearing Impairment (Hard of Hearing) with 40% disability. Upon qualifying in the Computer Based Test, he was called for document verification on 25.04.2019 and referred for medical examination as per recruitment norms. A three-member Railway Medical Board, constituted under Railway Board's guidelines dated



07.07.2017, assessed the respondent's disability at 46% hearing impairment and declared him as "Unfit". The Railway Recruitment Cell, Chennai, communicated the same by its letter dated 15.07.2019 to the respondent. The respondent claims to have submitted a representation dated 29.07.2019, but the Department has no record of its receipt. The respondent thereafter filed M.A.No.445/2021 in O.A.No.717 of 2022 before the Tribunal, seeking disposal of the said representation. By order dated 25.08.2022, the Tribunal directed the petitioners-Recruitment Cell to consider the representation. In compliance, the petitioners disposed of the matter, noting that no valid appeal supported by medical documents, as mandated under Para VI of Advance Correction Slip to Para 522(1) of IRMM, 2000 read with Railway Board's letter No.2014/H/5/8 (Policy) dated 07.07.2017, had been received, and hence no medical re-examination was warranted. Challenging the same, the respondent filed O.A.No.395 of 2023. The Tribunal, however, held that rejection of the representation on the ground of delay was improper and directed a fresh medical re-examination within a period of three months and take further necessary action as per the report of his medical fitness. Aggrieved by the same, the present petition has been filed.

3. The learned counsel for the petitioner submitted that the three-member Medial Board had conducted a medical examination on the respondent and gave a report stating that the respondent suffered from "partial deafness" with 46%



disability which is “not likely to improve” and declared him “Unfit”. It was further submitted that the respondent had neither challenged the findings of the competent Medical Board nor complied with the mandatory appeal procedure under Para VI of the guidelines dated 07.07.2017. The learned counsel also pointed out that subsequent to the respondent’s representation dated 29.07.2019, two further recruitment processes had taken place, and if the respondent was genuinely aggrieved, he ought to have availed the statutory remedy of appeal for a second medical opinion.

4. Heard the learned counsel on either side and perused the materials available on record.

5. On a careful consideration of the facts and submissions, this Court finds that the respondent was declared “Unfit” by the three-member Railway Medical Board constituted under the Railway Board guidelines dated 07.07.2017, which assessed his disability at 46% hearing impairment. The Tribunal, however, found that rejection of the respondent’s representation on the ground of delay was improper and directed the Department to conduct a fresh medical re-examination within three months. Upon scrutiny of the records and the reasoning adopted by the Tribunal, this Court does not find any perversity or illegality in the order passed by the Tribunal. The direction for medical re-examination of the respondent is accordingly confirmed. However, it is made clear that since two further recruitment processes had taken place



subsequent to the respondent's representation dated 29.07.2019 and upon re-assessment, if the respondent is otherwise found eligible, he is at liberty to apply in future recruitment process. In such an event, even if the respondent exceeds the upper age limit, the same shall be relaxed and his candidature shall be considered for one such future recruitment.

6. With the above observations and directions, this Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

(P.V.,J.)

(K.G.T.,J.)

18.03.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ms

To

The Presiding Officer,

Central Administrative Tribunal,

Chennai.



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