

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**O.A.No.386/2020**

**Dated Tuesday, the 08<sup>th</sup> day of September, 2020**

**PRESENT**

**Hon'ble SHRI.S.N. TERDAL, Judicial Member**

**Hon'ble SHRI.T.JACOB, Administrative Member**

V.Palaniswamy,  
Assistant Controller of Patents and Designs,  
Patent Office, IPR Building, GST Road,  
Guindy, Chennai 600 032. ... Applicant

By Advocate M/s.M.L.Ramesh

Vs

1. The Union of India,  
Rep., by its Secretary,  
Ministry of Commerce and Industry,  
Department of Promotion of Industry and Internal Trade,  
Udyog Bhavan, New Delhi.

2. The Controller General of Patents Designs and Trade Marks,  
Boudhik Sampada Bhavan,  
S.M.Road, Antop Hill, Mumbai 400037.

3.The Director,  
O/o. the Controller General of Patents Designs and Trade Marks,  
Boudhik Sampada Bhavan,  
S.M.Road, Antop Hill, Mumbai 400037.

4.The Head of Office,  
Deputy Controller of Patents and Designs,  
Patent Office, IPR Building, GST Road,  
Guindy, Chennai 600 032. ... Respondents

By Advocate Mr.M.Kishore Kumar

**(Order: Pronounced by Hon'ble SHRI.S.N. TERDAL, Member(J))**

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“(a) A mandatory order be passed quashing the part of the order dated 14.07.2020 in Memo No.CG/F/1/3(1)/2020/39 dated at Chennai, transferring the applicant to Kolkatta.

(b) A mandatory order directing the respondents to follow the office memorandum in F.No.28034/9/2009 Estt (A) dated 30.09.2009 to retain the applicant in Chennai Station

(c) For cost of this Application.

(d) To pass such other or further order or orders as to this Hon'ble Tribunal may deem fit and proper and thus render justice.”

2. Heard Mr.M.L.Ramesh for the applicant and Mr.M.Kishore Kumar for the respondents on advance notice.

3. Perused the OA and all the relevant documents. At the time of hearing, counsel for the applicant submits that he would be satisfied if the respondents are directed to pass a reasoned and speaking order as per law on his representation and till such time prays for interim stay. Counsel for the respondents vehemently opposes for grant of interim stay. The earlier rejection order, we have seen, is not a speaking order.

4. Accordingly, without going into the merits of the case, we are giving liberty to the applicant to file a comprehensive representation within eight days from the date of this order. The respondents are directed to pass a reasoned and speaking order as per law, within two months from the date

of filing of the representation. Until then, the impugned promotion/transfer order shall not be given effect to in respect of the applicant.

5. The OA is disposed of as above.

**(T.JACOB)**  
**MEMBER (A)**

**08.09.2020**

M.T.

**(S.N. TERDAL)**  
**MEMBER(J)**