

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

OA No.310/00158/2020

Dated Monday the 3rd day of February, 2020

P R E S E N T

**Hon'ble Shri. P. Madhavan, Member (J)
&
Hon'ble Shri. T. Jacob, Member (A)**

T.Nathamuni,
Inspector of Income-tax (Retired),
21, Edayapottal Street,
SRIVILLIPUTTUR.

...Applicant

(By Advocate M/S S.Sridharan)

Vs

1. Union of India rep by,
Principal Director General of Income tax (Vig.),
2nd floor, Jawaharlal Nehru Stadium,
New Delhi – 110 003.

2. Principal Chief Commissioner of Incometax,
TamilNadu and Puducherry,
121, M.G.Road, Aayakar Bhavan,
Chennai – 600 034.

3. The Commissioner of Income Tax-II,
V.P.Rathinasamy Nadar Road,
Bibikulam, Madurai – 625 002.

...Respondents

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

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

- "i. To direct the 1st respondent to dispose of the applicant's representation dated 18-05-2019 which was forwarded to him by the 2nd respondent on 06-06-2019 within a time frame that the Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case;
- ii. grant such other relief as may be prayed for, the Tribunal may deem fit to grant and to;
- iii. award the cost of this Original application to the applicant."

2. The applicant, while working as Inspector of Income Tax, Ward I(2), Virudhunagar, was placed under suspension by the 3rd respondent by order dated 08.10.2009 stating that a criminal case in C.C.No.7/2009 was filed by the CBI against the applicant. During the period of suspension, the applicant attained the age of 60 on 31.10.2010 and he was receiving provisional pension. Thereafter, the said criminal case ended in acquittal of the applicant on 21.06.2016. The applicant participated in the departmental enquiry proceedings and filed his final submission on 06.02.2017. From the reply for his RTI application received from the 2nd respondent dated 06.03.2019 along with copy of the inquiry report, the applicant came to know that the charges levelled against him were not proved. The grievance of the applicant is for nearly two years his suspension was not revoked, his retirement was not regularized and his retirement benefits were not granted, though he was acquitted from the criminal case. He has filed a representation dated 18.05.2019 (Annexure A-6) to the second respondent with a prayer to revoke the suspension order and allow regular retirement and retirement benefits which is still pending without any reply and hence this OA.

3. *Learned counsel for the applicant submits that the applicant has submitted representation dated 18.05.2019 as Annexure A-6 regarding his*

grievance and he will be satisfied if his representation is disposed of by the competent authority within the time limit stipulated by this Tribunal.

4. In view of the limited relief sought and without going into the substantive merits of the case, the OA is disposed of in the following lines:

"The competent authority is directed to consider Annexure A-6 representation of the applicant dated 18.05.2019 in accordance with law and in the light of relevant rules and regulations and pass a reasoned and speaking order within a period of three months from the date of receipt of copy of this order."

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

**(P.MADHAVAN)
MEMBER (J)**

03.02.2020

M.T.