

**Central Administrative Tribunal
Madras Bench**

OA/310/00461/2021

Dated the 17th day of April Two Thousand Twenty One

P R E S E N T
Hon'ble Mr.S.N.Terdal, Member(J)
&
Hon'ble Mr.C.V.Sankar, Member(A)

V.Palaniswamy.M,
S/o.M.Velusamy,
Assistant Controller of Patents & Designs,
Patent Office, IPR Building,
GST Road, Guindy,
Chennai 600032.Applicant
By Advocate **M/s.M.L.Ramesh**

Vs.

1. Union of India, rep. by its
Secretary,
M/oCommerce & Industry,
D/o Promotion of Industry & Internal Trade,
Udyog Bhavan, New Delhi.
2. The Controller General of Patents Designs & Trade Marks,
Boudhik Sampada Bhavan,
S.M.Road, Antop Hill,
Mumbai 400037.
3. The Director,
O/o the Controller General of Patents Designs & Trade Marks,
Boudhik Sampada Bhavan,
S.M.Road, Antop Hill,
Mumbai 400037.

4. The Head of Office,
Deputy Controller of Patents & Designs,
Patent Office, IPR Building,
GST Road, Guindy,
Chennai 600032.

..Respondents

By Advocate **Mr.K.Rajendran(R1), Mr.M.Kishore Kumar-SPC(R2-4)**

ORAL ORDER
[Pronounced by Hon'ble Mr.S.N.Terdal, Member(J)]

The relief prayed for in this OA is as follows:-

- “a) A Mandatory order be passed quashing the Office Memorandum in CG/F/AC(P)(VP)/2020/03, dated 05.10.2020, on the file of the second respondent, rejecting the representation of the applicant dated 16.09.2020.
- b) 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.
- c) A mandatory order directing the respondents to retain the applicant in Chennai Station as perform his duties as Deputy Controller.
- d) For cost of this Application.
- e) To pass such other or further order or orders as to this Tribunal may deem fit and proper and thus render justice.”

2. Heard Mr.Ramesh for the applicant and Mr.K.Rajendran for respondent No.1 and Mr.M.Kishore Kumar for respondent Nos.2-4 on advance notice. Perused the OA and all the documents.

3. It is an admitted fact that the applicant had joined his post in Kolkatta as per the transfer order dated 14.7.2020. However, at the time of hearing, counsel for the applicant, without pressing for the relief prayed for in this OA, submits that the applicant may be permitted to make a representation to the respondents and a direction be issued to the respondents to consider his representation sympathetically, in a time bound manner.

4. Accordingly, this OA is disposed of, without going into the merits of the case, with a liberty to the applicant to make a comprehensive representation within a period of 15 days from the date of receipt of a copy of this order. On receipt of such representation, the respondents are directed to consider the same sympathetically by taking into consideration his difficulties and pass a reasoned and speaking order, as per law, within a period of two months thereafter.

5. OA is disposed of at the admission stage. No costs.

(C.V.Sankar)
Member(A)

(S.N.Terdal)
Member(J)

17.04.2021

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