

**Central Administrative Tribunal
Madras Bench**

MA/310/00009/2018 (in)(&) OA/310/00026/2018

Dated Friday the 5th day of January Two Thousand Eighteen

P R E S E N T

Hon'ble Mr. R.Ramanujam, Member(A)

K.Krishnamurthy
S/o Mr.M.Karuppan,
No.4, Ground Floor,
Srinivas Apartments,
8&10, Sankarapuram I Street,
Choolaimedu,
Chennai 600006. Applicant

By Advocate **Mr.P.Rajendran**

Vs.

1. The Union of India, rep by the Senior Administrative Officer, Central Board of Film Certification, New Delhi.
2. The Regional Officer, Central Board of Film Certification, Shastri Bhavan, Haddows Road, Chennai 600006. Respondents

By Advocate **Mr.K.Rajendran**

ORAL ORDER

Pronounced by Hon'ble Mr.R.Ramanujam, Member(A)

MA for condonation of delay of 242 days in filing the OA is allowed. Delay is condoned.

2. The applicant has filed this OA seeking the following relief:-

“To call for the records relating to the impugned order of the first respondent in No.A-19011/2/2011-Admn. dated 17.3.2016 and quash the same and direct the respondents to re-fix the pay of the applicant by granting first financial upgradation under the ACP Scheme and second and third financial upgradations under the MACP Scheme by duly protecting his pay as prayed for in his representation dated 9.3.2015 and grant him all consequential benefits including refund of the amounts recovered from him and render justice.”

3. Heard. Learned counsel for the applicant submits that the applicant had submitted Annexure A1 representation dated 09.3.2015 for grant of MACP from the relevant dates. However, the respondents by Annexure A3 communication have summarily rejected the same stating that due to some administrative reasons, the 1st ACP was not granted and, therefore, the 1st, 2nd and 3rd MACPs were granted by order dated 24.4.2015. It is submitted that the order was clearly non-speaking and, therefore, the applicant would be satisfied if the competent authority is directed to pass a speaking order on the applicant's representation dated 09.3.2015.

4. Mr.K.Rajendran takes notice for the respondents and submits that if time is granted, a detailed reply would be filed.

5. On perusal, it is seen that the impugned communication contains no reference to Annexure A1 representation of the applicant dated 09.3.2015. On the other hand, it refers to a letter of the Regional Officer, Central Board of Film Certification dated 26.2.2016 on the subject. The respondents are, therefore, directed to consider the Annexure A1 representation of the applicant and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.

6. OA is disposed of at the admission stage.

(R.Ramanujam)
Member(A)

05.01.2018

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