

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**OA/310/00961/2018**

**Dated Monday the 23<sup>rd</sup> day of July Two Thousand Eighteen**

**PRESENT**

**HON'BLE MR. R. RAMANUJAM, Member (A)  
&  
HON'BLE MR. P. MADHAVAN, Member (J)**

A. Venkatesan,  
Working as Office Superintendent,  
O/o the Principal Commissioner of Income Tax-10,  
Chennai. ....Applicant

By Advocate M/s. Menon, Karthik, Mukundan & Neelakantan

Vs

Union of India rep by the,  
Principal Chief Commissioner of Income Tax,  
(Tamil Nadu and Pondicherry),  
121, Nungambakkam High Road,  
Chennai 600034. ....Respondent

By Advocate Mr. M. T. Arunan

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

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

"To direct the respondent to open the sealed cover of the applicant with regard to his promotion as Inspector of Income Tax, give effect to the recommendations contained therein and promote him to the said post with effect from 24.09.2010 on par with his juniors with all consequential benefits flowing therefrom and also grant 2nd MACP upgradation upon completion of 20 years of service on 07.03.2009 and pass such further or other orders as may be deemed fit and proper."

2. It is submitted that the applicant was initially appointed as Data Entry Operator and after due promotions, rose to the level of Office Superintendent. In the year 2009, criminal proceedings were initiated against him pending which his juniors were promoted to the post of Inspector of Income Tax. The applicant's case was kept in a sealed envelope. Later, he was acquitted of all charges by the 9th Additional Special Court for CBI cases by an order dt. 30.05.2017. Subsequently, the applicant made representations on 05.10.2017 and 25.04.2018 for promotion and 2nd MACP which are still pending for consideration. Learned counsel for applicant submits that the applicant would be satisfied if the respondent is directed to consider the representations and pass orders within a time limit to be stipulated by this Tribunal.

3. Mr. M. T. Arunan takes notice for the respondent.

4. Keeping in view the limited relief sought and without going into the substantive merits of the case, we deem it appropriate to direct the

respondent to consider Annexures A8 and A9 representations of the applicant dt. 05.10.2017 and 25.04.2018 in accordance with law and pass a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.

5. OA is disposed of with the above direction at the admission stage.

**(P. Madhavan)**  
**Member(J)**

**(R.Ramanujam)**  
**Member(A)**

**23.07.2018**

SKSI