

**Central Administrative Tribunal
Madras Bench**

OA 310/01229/2019 & MA 310/00532/2019

Dated Friday the 13th day of September Two Thousand Nineteen

P R E S E N T

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

1. G.Kasthuri,
2. E.Magesh Kumar,
3. Sherif Jan,
4. B.Ramesh Kumar,
5. J.Kamala,
6. K.Vadivelu,
7. G.Venkatsamy,
8. P.Gnanasekar,
9. S.Rajan,
- 10.C.R.Murali,
- 11.K.Sivaraj,
- 12.K.A.Vijaya Prakash,
- 13.A.Kuppan,
- 14.M.Sarvanan,
- 15.R.Noorunnisa,
- 16.T.Nizamuddin,
- 17.S.Sathiskumar,
- 18.K.Govinda Rajan,
- 19.P.Permnath.

... Applicants

By Advocate **M/s. A.V.V.S. Bhujalinga Rao**

Vs.

The Union of India rep by,
The Secretary, Department of Revenue,
Ministry of Finance, North Block, Delhi.

2.The Principal Chief Commissioner of
Income Tax, Cadre Controlling Authority,
Tamil Nadu & Puducherry, Ministry of Finance,

Department of Revenue, Aayakar Bhavan,
121, Mahatma Gandhi Road, Nungambakkam, Chennai.

3. The Chairman, Central Board of Direct Taxes,
Department of Revenue,
Ministry Finance, North Block, Delhi.

... Respondents

ORAL ORDER

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

MA 532/2019 filed for joining the applicants together and filing single original application is allowed.

2. The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“To call for the records related to Order No. 95/1999-2000/personnel (F.No. P 361/01/Temporary status/GP "D"/99-2000/8111, dated 28.12.1999) and the applicants representation dated 02.07.2019 and to declare that the applicants are entitled to get temporary status on par with other similarly situated casual labours employees working in various department under the control of Ministry of Finance and Revenue Department and to direct the respondents to grant temporary status with effect from the date when 206 days were completed and to regularize the services of the applicants by paying wages regular on par with those similarly placed and already extended with the benefits including arrears of wage and other consequential service benefits and to pass such other order or orders as this Tribunal may deem fit and proper and thus render justice.”

3. When the matter came up for consideration, learned counsel for the applicants would submit that the respondents are not granting temporary status and regularisation to the applicants eventhough they have completed many years of work under the respondents and they will be satisfied if the benefit granted as per order No. 95/1999-2000/personnel (F.No. P 361/01/Temporary status/GP “D”/99-2000/8111, dated 28.12.99) is considered and implemented in the applicants' case also. According to the applicants they had given a detailed representation to the Principal Chief Commissioner of Income Tax, Chennai on 02.07.2019 and it is still

pending before the Commissioner till date. The applicant will be satisfied if the competent authority passes a reasoned and speaking order on the basis of various regulations and OM cited supra within a stipulated time.

4. In view of the limited submission made and without going into the substantive merits of the case, the competent authority is directed to consider the representation dated 02.07.2019 produced in this OA as Annexure A34 on the basis of the relevant rules and regulations and pass a reasoned and speaking order within a period of six months from the date of receipt of copy of this order.

5. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

13.09.2019

(P. Madhavan)
Member (J)