

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.6.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.12546 and 12548 of 2018
and
W.M.P.Nos.14698 & 14702 of 2018

- 1 The Chairman
Central Board of Direct Tax
Ministry of Finance
Department of Revenue North Block
New Delhi.
- 2 The Directorate of Income tax
Human Resource Department
Central Board of Direct Taxes
ICADR Building Plot No.6
Vasanth Kunj Institutional Area Phase II
New Delhi-110 070.
- 3 The Principal Chief Commissioner
of Income Tax (CCA)
Tamilnadu & Puducherry
No.121 Mahathma Gandhi Road
Nungambakkam Chennai-600 034.

Petitioners in both cases

Vs

- 1 K.M.Prasad
- 2 V.S. Anandakumar
- 3 R.Sivakumaran
- 4 Sathish Kumar
- 5 Satya Prakash Gupta
- 6 Ravindra Kumar Arun

- 7 The Central Administrative Tribunal
Chennai Bench rep by its Registrar
City Civil Court Campus
High Court Buildings Chennai.

Respondents in WP 12546/18

1. Kumar Deepak Raj
2. Dharmendra Kumar Singh
3. Jibachhkumar Yadav
4. Sanjeev Kumar
5. Susheela Prakash
6. T.L.Venkatraman
7. The Central Administrative Tribunal,
Chennai Bench rep by its Registrar
City Civil Court Campus
High Court Buildings Chennai.

Respondents in WP 12548/18

Prayer:

Writ petitions filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records of the 7th respondent Viz. the Central Administrative Tribunal Chennai Bench in M.A.Nos.244/2018 and 243/2018 in OA.Nos.475/2018 and 536/2018 dated 25.4.2018 and quash the same.

For petitioners : Mr.V.Vijay Shankar

For R4 : Mr.J.Srinivasamohan

COMMON ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties for some time.

2. The writ petitions have been filed by the Department challenging the interim stay granted by the Central Administrative Tribunal as against the order impugned therein.

3. It appears that the employees of the Department, who are respondents herein, alleging that the order impugned in the Original Applications revises their seniority, obtained interim stay in their favour.

4. Having heard the learned counsel appearing for the parties for some time, there appears to be some irregularity in the procedure adopted to pass the impugned order. The grievance expressed by the respondent-employees is that by the revised seniority list, they are being pushed to become juniors and their juniors would become seniors to them.

5. Considering the fact that it is only an interim order passed by the Tribunal which is challenged in the writ petitions and the main matters are still pending adjudication before the Tribunal, without disturbing the interim orders passed by the Tribunal, we direct the Tribunal to take up the main matters themselves and dispose the same on merits and in accordance with law by considering the case of all the parties concerned, within a period of three months from the date of receipt of a copy of this order and till then, status quo shall be maintained. The writ petitions are disposed of accordingly. No costs. The connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ssk.

To:

- 1 The Chairman
Central Board of Direct Tax
Ministry of Finance
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+2ccs to Mr.J.Srinivasamohan, Advocate, S.R.No.41118
+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No.41730

W.P.Nos.12546 and 12548 of 2018

PPA(CO)
CS/24/07/18