

**Proceedings of the Principal Secretary/Commissioner of Commercial Taxes  
Ezhilagam, Chepauk, Chennai.600 005**

**Present: Thiru. T. Jacob, I.A.S.,**

**Proc.No.P1/58439/2007**

**Dated 03/07/2009**

**Sub.:** Public Services – Commercial Taxes Department – Contempt  
Petition No. 263/2007 in CA No.1454/2007 – Orders of the  
Hon'ble Supreme Court of India – inter-se seniority list of ACTOs  
for 1968 to 2006 – drawn – communicated – conferment of  
consequential benefits as per Hon'ble Supreme Court orders –  
Thiru. A. Lakshmi pathi, ACTO - promoted as CTO – orders –  
issued.

**Ref.:** 1) Hon'ble Supreme Court of India orders dated 04/03/2009  
in CP No.263/2007 in CA No.1454/1987.  
  
2) Principal Secretary/Commissioner of Commercial Taxes'  
Proc.No.P1/58439/2007, dated 04/05/2009.

\* \* \* \* \*

**ORDER:**

In the contempt petition no.263/2007 in CA No.1454/1987 filed by certain direct recruit ACTOs alleging non-implementation of the Hon'ble Supreme Court's orders dated 10/02/1999 in CA No.1454/1987, the Hon'ble Court was pleased to close the said contempt petition with directions to the department to confer consequential benefits on the contempt petitioners in accordance with law within a period of four months. The inter-se seniority list of ACTOs for the years from 1968 to 2006 has been drawn and communicated in the proceedings second cited whereby the contempt petitioners, who are direct recruit ACTOs of 1990, 1996 and 2002 batches, have become seniors to the seniormost transferee ACTO in service, Thiru. R. Aruldoss.

2. Since the said Thiru. R. Aruldoss is now working as Deputy Commissioner (CT) and the contempt petitioners have to be conferred consequential benefits in accordance with law, subject to their acquiring the prescribed qualifications and satisfying the eligibility norms for promotions to the next higher cadres, they have to be promoted to the next higher cadres. In the case of the 9 direct recruit ACTOs appointed in the year 2002, they are all still holding the post of ACTO only. Hence, they have to be promoted to the next higher category of CTO subject to their fulfilling the norms prescribed for such promotion.

3. In its interim orders dated 02/07/2009 in WP Nos.11438, 11439, 11501 to 11509 (all writ petitions filed by direct recruit Acs) and 11618 of 2009 (filed by Thiru.P. Shanmuganathan) and connected miscellaneous petitions, the Hon'ble High Court of Madras has issued directions to the Government to extend the consequential benefits in accordance with law only to the ten contempt petitioners subject to the result of the final orders to be passed in these writ petitions. It has also continued the interim order of injunction passed in these writ petitions till 15/07/2009 except in respect of the ten contempt petitioners in the contempt petition no.263/2007

in CA no.1454/1987. In view of the aforesaid interim orders of the Hon'ble High Court of Madras, the consequential benefits flowing from the inter-se seniority list of ACTOs from 1968 to 2006 can be conferred only on the contempt petitioners for the present.

4. Accordingly, Thiru. A. Lakshmiopathi, ACTO who is the tenth contempt petitioner in CP No.263/2007 in CA No.1454/1987 is hereby ordered to be included in the 2006 panel of ACTOs fit for appointment as CTOs. He is consequently promoted as CTO on par with his juniors in the 2006 CTO panel. On promotion as CTO, he is allotted to JC (CT), Chennai North Division for issue of postings.

7. He is further informed that his promotion as CTO is purely ad-hoc and shall be subject to the result of the WP Nos.11438, 11439, 11501 to 11509 (all writ petitions filed by direct recruit ACs) relating to fixation of inter-se seniority between transferee and direct recruit ACs and WP No.11618 of 2009 (filed by Thiru. P. Shanmuganathan) before the Hon'ble High Court of Madras challenging the inter-se seniority list of ACTOs for the years from 1968 to 2006 drawn and communicated in PS/CCT Proc.No. P1/58439/2007, dated 04/05/2009. His seniority in the 2006 CTO panel will be determined later subject to the result of the said writ petition.

8. The JC (CT), Chennai North Division shall issue orders of posting to the official immediately and report the date of joining of the official at once.

**Sd/- T. Jacob**  
**Principal Secretary/Commissioner**  
**of Commercial Taxes**

To

The individual

Through the Joint Commissioner (CT), Enforcement II, Chennai

Copy to all JCs (CT) for forwarding to all juniors in the 2006 CTO panel

Copy to

The Secretary to Government, CT & R Department, Chennai.9

Superintendent, CP Section, O/oPS/CCT

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/Forwarded By Order/

**Administrative Officer-I**