

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.09.2015

Coram:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29992 of 2015

and

M.P.No.1 of 2015

K.Nagarajan

... Petitioner

vs.

1.Government of Tamil Nadu,
rep.by Secretary to Government
and Agricultural Production Commissioner,
Secretariat, Chennai-600 009

2.The Executive Director,
Tamil Nadu Water Shed Development
Agency,
(TAWDEVA), No.55,
Thiru.Vi.Ka.Industrial Estate,
Ekkattuthangal,
Chennai-600 032

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records of the second respondent relating to Pro.No.2020/TAWDEVA/Admin/2015, dated 25.08.2015, and to quash the same in so far as it relates to the post of Project Economist in District Watershed Development Agency, Dharmapuri, in which the petitioner is serving and Direction No.2 issued thereunder and issue consequential directions to the respondents to retain the petitioner as Project Economist or in any equivalent post in District Watershed Development Agency, Dharmapuri.

For petitioner : Mr.D.Baskar

For Respondents : Mr.N.Srinivasan,A.G.P.

ORDER

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner is at present working as Project Economist in the Office of the Project Officer/Joint Director of Agriculture, District Watershed Development Agency, Dharmapuri (DWDA) from 5.8.2013 and claims that he is also holding additional charge of the post of Project Economist in the said agency at Namakkal District. The petitioner was originally appointed as Research Investigator in Dharmapuri District Development Corporation, Dharmapuri and he was deployed from the Corporation to the District Rural Development Agency (DRDA), Coimbatore, for working as an Assistant Evaluation and Research Officer and subsequently posted in District Rural Development Agency, Namakkal District and vide proceedings of the Vice-Chairman and Managing Director of the Tamil Nadu Watershed Development Agency, he was posted as a Project Economist in District Watershed Development Agency at Namakkal and subsequently posted in the very same Agency at Dharmapuri District. The petitioner would further state that the second respondent, vide proceedings dated 25.08.2015 has directed to relieve the individuals to their parent departments, in case the employees were on deputation, numbering 19 and according to the petitioner, he is one of the person deployed to District Watershed Development Agency, and he is not on deputation and the said order is incapable of being implemented. It is also stated that even if he was deputed from Dharmapuri District Development Corporation to District Watershed Development Agency, the fact remains that Dharmapuri District Development Corporation, Dharmapuri has been wound up and in its place Dharmapuri District Social Economic Development Society (DDSEDS) has been formed, which is having a minimum strength to look after the social and economic development activities under the Chairmanship of the District Collector and since the petitioner has been permanently employed in Dharmapuri District Development Corporation, Dharmapuri, he cannot go back to the parent department, which has already been wound up and in this regard, he has submitted a representation dated 31.08.2015 to the second respondent. Since no orders have been passed, he came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader, who accepts notice on behalf of the second respondent.

4. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the second respondent to consider and dispose of the petitioner's representation dated 31.08.2015 on merits and in accordance with law and after providing him an opportunity of personal hearing, pass orders within a period of six weeks from the date of receipt of a copy of this order and till then defer further decision, based on his decision dated 25.08.2015.

5. The writ petition is disposed of accordingly. No costs.
Connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

msk

To

1.The Secretary to Government
and Agricultural Production Commissioner,
Secretariat, Chennai-600 009

2.The Executive Director,
Tamil Nadu Water Shed Development
Agency,
(TAWDEVA), No.55,
Thiru.Vi.Ka.Industrial Estate,
Ekkattuthangal,
Chennai-600 032

+2 ccs to M/s.R.Thamarai Selvan, Advocate, sr.51999

+1 cc to The Government Pleader, sr.52169

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