



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2016

CORAM:

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P (MD) No.17445 of 2016

V.Dharmarajan

: Petitioner

Vs.

The Director of Agriculture,
Ezhilagam, Chepauk,
Chennai - 600 005.

: Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent i.e., the Director of Agriculture, Chennai to pass appropriate orders on the letter No.A3/13791/2015, dated 11.12.2015 of the Joint Director of Agriculture, Virudhunagar within a specified time frame that may be fixed by this Court, clarifying whether the Selection Grade Depot Manager Grade-I fixed by him as on 12.12.2007 in his proceedings No.A3/9986/2011, dated 17.07.2015 is correct or whether the pay fixed on 30.09.2007 after granting selection grade to Thiru.M.Mohan, as per the proceedings No.AA2/2645/2014, dated 24.11.2014 of the Joint Director of Agriculture, Thiruvallur is correct.

For Petitioner

: Mr.S.Visvalingam

For Respondent

: Mr.S.Kumar,
Additional Government Pleader.

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent namely, the Director of Agriculture, Chennai, to pass appropriate orders in respect of the query raised in letter No.A3/13791/2015, dated 11.12.2015, by the Joint Director of Agriculture, Virudhunagar within a specified time frame to be fixed by this Court.

2.Mr.S.Kumar, learned Additional Government Pleader, takes notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the



respondent.

4.It is the case of the petitioner that the petitioner was last serving as Depot Manager Grade I under the control of the Joint Director of Agriculture, Virudhunagar. He was allowed to retire from service voluntarily, on 30.09.2009. Vide letter dated 16.11.2015, he requested the Joint Director of Agriculture, Virudhunagar, to fix his pay as Rs.15,600- 39,100 with Grade Pay of Rs.5,700/- on par with similarly placed person, namely Mr.M.Mohan, who retired from the Office of the Joint Director of Agriculture, Thiruvallur, enclosing a copy of the proceedings in No.AA2/2645/2014-1, dated 24.11.2014 of the Joint Director of Agriculture, Thiruvallur, regarding sanction of selection grade to Mr.M.Mohan. Based on the above proceedings, the said Mohan got the sanction order of the Accountant General, Chennai and received his revised pension. But the same was denied to the petitioner. In this connection, the Joint Director of Agriculture, Virudhunagar, has sought for clarification from the respondent, vide his letter, dated 11.12.2015 and the same is pending till date. Therefore, the petitioner has come up with the present writ petition.

5.The learned counsel for the petitioner submitted that the petitioner and Mr.Mohan was serving in the same Department and in the same cadre and therefore the petitioner submitted a representation to the Joint Director of Agriculture, Virudhunagar, who in turn, sought for clarification from the respondent and the same is pending till date.

6.The query raised in the letter is as to whether the pay fixed in the post of Selection Grade Depot Manager Grade-I to the petitioner as on 12.12.2007, vide proceedings of the Joint Director of Agriculture, Virudhunagar in No.A3/9986/2011, dated 17.07.2015 is correct or whether the pay fixed on 30.09.2007, after granting selection grade to Thiru.M.Mohan, retired Superintendent, fixing Grade Pay of Rs.5,700/-, as per the proceedings of the Joint Director Agriculture, Thiruvallur in No.AA2/2645/2014 dated 24.11.2014 is correct. As the query raised is not answered, the petitioner is compelled to file this writ petition.

7.The learned Additional Government Pleader would submit that the respondent may be directed to pass appropriate orders within a period specified by this Court.

8.In view of the above, the respondent is directed pass orders on the clarification sought for, by the Joint Director of Agriculture, Virudhunagar, in the letter dated 11.12.2015, within <https://hcservices.ecourts.gov.in/hcservices/> weeks, from the date of receipt of a copy of this order.



9. With the above direction, this writ petition is disposed of.
No costs.

Sd/-
Assistant Registrar (CRL)

WEB COPY/True Copy/

Sub Assistant Registrar

smn

To

The Director of Agriculture,
Ezhilagam, Chepauk,
Chennai - 600 005.

+1cc to Mr.S.Visvalingam Advocate Sr.No. 57315

+1cc to Spl.Government Pleader Sr.No. 57763

JAM/11.11.16/GSV-PM/ 3p-4c

ORDER MADE IN
W.P (MD) No.17445 of 2016
29.09.2016