

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.06.2017

Coram

The Hon'ble Mr. Justice T. Raja

W.P.No. 14911 of 2017

K. Chandru

...Petitioner

Versus

1. The Agricultural Production Commissioner,
And Secretary to Government,
Fort. St. George, Chennai - 9.

2. The Director of Agriculture,
Chepauk, Chennai - 5.

3. The Joint Director of Agriculture,
Semmandalam,
Cuddalore - 607 001.

...Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus to direct the first respondent to dispose the petitioner's representation dated 06.07.2016 with regard to the notional promotion of the Petitioner to the post of Assistant Director of Agriculture & Deputy Director of Agriculture within short date that may be fixed by this Hon'ble Court.

For Petitioner : M/s.G. Sridevi

For Respondents : Mr.T.M. Pappiah,
Special Government Pleader

O R D E R

The petitioner has come to this Court, seeking direction to the first respondent to dispose of the petitioner's representation with regard to the notional promotion of the petitioner to the post of Assistant Director of Agriculture & Deputy Director of Agriculture within short date.

2. The petitioner while working as Agricultural Officer, Chidambaram, in the Office of the Joint Director of Agriculture, Cuddalore, due to prolong disciplinary proceeding for finalization, he has retired before commencement of the disciplinary proceedings. Therefore, the promotion for the petitioner was deprived. Hence, pleaded for disposal of the representation dated 06.07.2016 with regard to his notional promotion.

3. But this Court is not inclined to entertain the writ petition for two reasons. Firstly, the order dated 31.05.2012 clearly says disciplinary enquiry against him under Rule 17(b) of the Tamilnadu Civil Service (Disciplinary and Appeal) Rules is pending. Secondly, the order dated 27.11.2017 permitting him to retire from service also clearly says that disciplinary proceedings already initiated against him for certain lapses and for the loss of Rs.63319/- caused to the department is also pending finalization.

4. In view of the above, this court is not inclined to entertain this writ petition. The writ petition fails and is dismissed accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mrr/gr.
To

1. The Agricultural Production Commissioner,
And Secretary to Government,
Fort. St. George, Chennai - 9.
2. The Director of Agriculture,
Chepauk, Chennai - 5.
3. The Joint Director of Agriculture,
Semmandalam, Cuddalore - 607 001.

+lcc to Mrs.G.Sridevi, Advocate Sr.41969
+lcc to the Government Pleader Sr.42287

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srg 4/7/2017