



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.01.2017

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WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.179 of 2017

1.R.Duraisamy,
Horticulture Officer,
Office of the Deputy Director of Horticulture,
Collectorate Complex,
Theni,
Theni District.

2.B.Rajavelu,
Horticulture Officer,
Office of the Deputy Director of Horticulture,
Thanthonimalai,
Karur,
Karur District.

3.T.S.P.Alexandar,
Horticulture Officer,
Office of the Deputy Director of Horticulture,
Collectorate,
Dindigul,
Dindigul District.

.. Petitioners

Vs.

1.The State of Tamil Nadu,
represented by its Principal Secretary
to Government-cum-Commissioner,
Department of Agriculture,
Secretariat,
Fort St.George,
Chennai-9.

2.The Director of Horticulture and Plantation Crops,
Department of Horticulture and Plantation Crops,
Third Floor, Agriculture Complex,
Chepauk, Chennai- 600 005.

3.The Tamil Nadu Public Service Commission,
represented by its Secretary,
Frazer Bridge Road, VOC Nagar,
Park Town,
Chennai-3.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the second respondent to pass orders on the objection made by the Petitioners in his representation dated 24.8.2016 to assign TNPSC rank in the ratio 9:1 between the direct recruiters and promotes and to refix the seniority of the Petitioners in terms of special rules for the Tamil Nadu Horticulture Service within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.M.Rajaraman
1 and 2 Government Advocate

For Respondent-3 : Mr.K.K.Senthil

O R D E R

This Writ Petition has been filed, for issuance of a writ of Mandamus, directing the second respondent to pass orders on the objection made by the Petitioners in his representation dated 24.8.2016 to assign TNPSC rank in the ratio 9:1 between the direct recruiters and promotes and to refix the seniority of the Petitioners in terms of special rules for the Tamil Nadu Horticulture Service within the period that may be stipulated by this Court.

2.Heard Mr.M.Rajarajan, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.K.K.Senthil, learned counsel takes notice for the third respondent. By consent of both parties, the main Writ Petition itself is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that the Petitioner has submitted that an objection was made by the Petitioners in their representation dated 24.8.2016 to assign TNPSC rank in the ratio 9:1 between the direct recruiters and promotes and to re-fix the seniority of the Petitioners in terms of special rules for the Tamil Nadu Horticulture Service. Since the said representation did not evoke any response, the petitioners are before this Court with the relief stated supra.

4. The counsel for the second respondent would submit that it is agreeable for the second respondent to consider the representation of the petitioner and pass orders thereon.

5.In view of the submission, the second respondent is directed to consider the representation/objection of the petitioner dated 24.8.2016 and to pass appropriate orders on the same in accordance

with the rules, within a period of one month from the date on which a copy of this order is made ready, preferably on or before 5.2.2017.

6. With the above direction, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar[AE]

/True copy/

Sub Assistant Registrar

vsn

To:

1. The Principal Secretary
to Government-cum-Commissioner,
The State of Tamil Nadu,
Department of Agriculture,
Secretariat,
Fort St. George,
Chennai-9.
2. The Director of Horticulture and Plantation Crops,
Department of Horticulture and Plantation Crops,
Third Floor, Agriculture Complex,
Chepauk, Chennai- 600 005.
3. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, VOC Nagar,
Park Town, Chennai-3.

1CC TO MR. K.K SENTHIL, ADVOCATE SR: 1312

1CC TO THE SPL GOVT PLEADER SR: 1138

3CC TO M/S. AJMAL ASSOCIATES, SR 1037

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