

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.08.2018
CORAM
THE HON'BLE DR.JUSTICE S.VIMALA
W.P.NO.20986 of 2018

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Petitioner

Vs

1. The Agricultural Production Commissioner
and Secretary to the Government,
Agriculture Department, Fort.St.George
Chennai - 600 009.
2. The Chief Engineer (Agricultural Engineering)
Chennai - 600 035.
3. The Assistant Executive Engineer (Agricultural Engineering)
441/1, Pudupettai Road, Thiruppathur - 635 601.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to pass orders on the petitioner's representation dated 23.01.2017 forwarded by the third respondent to the second respondent in Letter No.W/1694/2007 dated 27.01.2017.

For Petitioner : Mr.P.Rajendran

For Respondents: Ms.R.Janaki, Additional
Govt.Pleader

O R D E R

This writ petition has been filed seeking direction to the respondents to consider the representation of the petitioner dated 24.08.2007.

2. The petitioner was initially appointed as Draughtsman Grade III on 04.11.1976 in the office of the Assistant Executive Engineer (Agricultural Engineering), Rural Conservation Scheme, Tiruvannalamai. However, he was discharged for want of vacancy on 09.05.1977 and again he was appointed as Draughtsman Grade III on 10.05.1977 in the Tamil Nadu State Farms Corporation Limited. Thereafter, in the year 1982, he was deputed back to the Agricultural Engineering Department consequent to the closure of the Tamil Nadu Farms Corporation Limited. He was posted to the Agricultural Engineering Department on 23.02.1983. In the year 1994, the Chief Engineer (Agricultural Engineering)

called for particulars of diploma holders for appointment as Junior Engineers. The petitioner's name was included in the list enclosed in the said circular at S.No.21. However, he was not appointed as Junior Engineer, whereas three other persons, namely, P.Devaraj, A.Neelakantan and C.Selvaraj who were juniors to him in the post of draughtsman, were appointed as Junior Engineers in 1984. The petitioner passed the degree examination on 30.11.1987 and he was promoted as Assistant Engineer on 29.07.1998. He passed B.E. Examination in the year 1987. He was not aware of the fact that his above said juniors were appointed as Junior Engineers on 21.11.1984. On coming to know of the said fact in the year 2007, he submitted a representation to the Chief Engineer on 24.8.2007 requesting for appointment as Junior Engineer with effect from 21.11.1984 and re-designation as Assistant Engineer with effect from 30.11.1987. Even though he submitted a representation on 24.08.2007, his representation was forwarded to the Government by the Chief Engineer only on 19.05.2010. Thereafter, he received a copy of the letter sent by the Chief Engineer (Agricultural Engineering), Chennai-600 034 to the Assistant Executive Engineer (AE), Tiruppathur dated 21.11.2016 stating that the Government had asked for the reasons for taking the claim regarding the anomaly after thirty nine years and requesting the Assistant Executive Engineer to obtain the explanation from him and submit the same. On receipt of the said letter, he submitted his explanation on 23.01.2017. His explanation was forwarded to the Chief Engineer by the Assistant Executive Engineer (Agricultural Engineering) Tiruppathur on 27.01.2017, which is also pending consideration till the date of filing of the present writ petition.

3. Learned Additional Government Pleader appearing for the respondents submits that the representation dated 23.01.2017 would be considered in proper perspective and orders would be passed in accordance with law.

4. Under the circumstances, recording the submissions made by the learned Additional Government Pleader, the respondents herein are directed to consider the representation submitted by the petitioner dated 24.08.2007 and the subsequent explanation dated 23.01.2017, within a period of eight weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

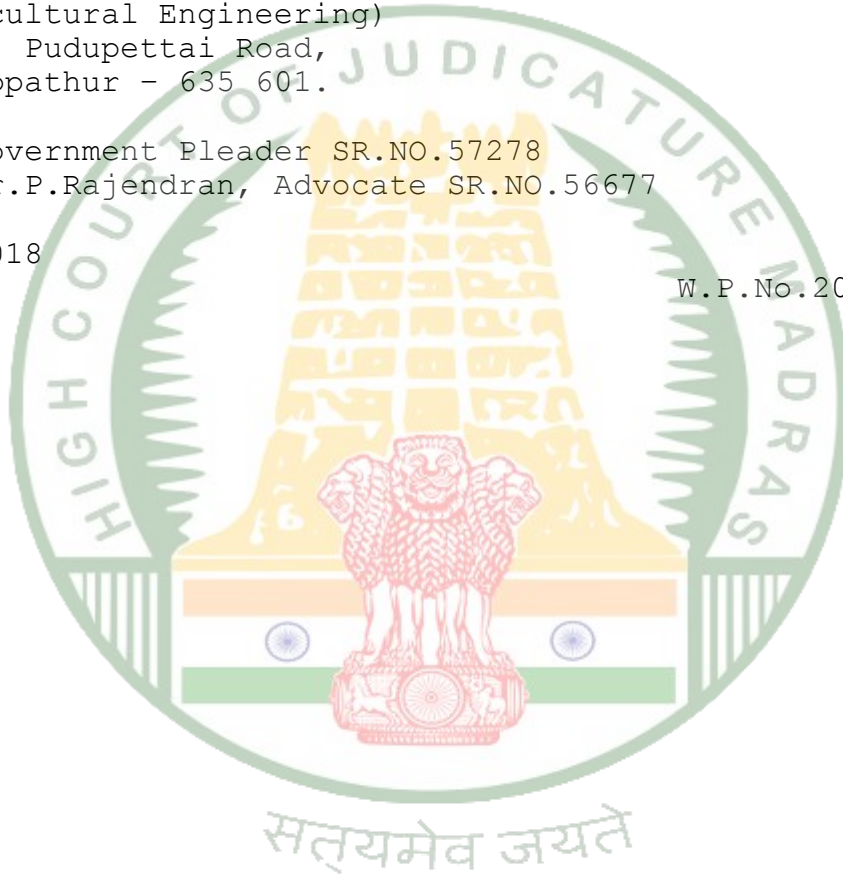
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+lcc to Government Pleader SR.NO.57278

+lcc to Mr.P.Rajendran, Advocate SR.NO.56677

sm:9.10.2018

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