

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 14.03.2018

DATE OF DECISION : 03.08.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.28069, 30323 to 30326, 31206 to 31209, 33137 to 33142,
33615 to 33619, 34572 to 34578, 34975, 34976, 34978 to 34980,
38563 to 38569, 38993 to 39003, 39594 to 39600, 33305, 30546,
30547, 29406 to 29411, 30514 to 30517, 28270 of 2016 & 11235 of
2017

G.VALARMATHI ... PETITIONER in WP No.28069 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE MOHANUR
NAMAKKAL DISTRICT

N.SUBRAMANIAN ... PETITIONER in WP No.30323 of 2016
NADUKKOMPAL KALAPANAIKANPATTI POST
NAMAKKAL DISTRICT

V.RAVI ... PETITIONER in WP No.30324 of 2016
NO.59 COLLEGE ROAD PAZHAVANTHANGAL
CHENNAI 600 114

N.MEGANATHAN ... PETITIONER in WP No.30325 of 2016
9 L.R.MANICKAM STREET BHARATHIPURAM
DHARMAPURI DHARMAPURI DISTRICT

C.KANNAN ... PETITIONER in WP No.30326 of 2016
3/164-1 PANDIAN NAGAR 8TH STREET SURVEYOR
COLONY K.PUDUR MADURAI-7

K.JAYARAMAN ... PETITIONER in WP No.31206 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
MODAKURICHI ERODE DISTRICT

M.SUBBIAH ... PETITIONER in WP No.31207 of 2016
DEPUTY DIRECTOR OF AGRICULTURE PA TO
COLLECTOR (AGRI) TIRUVANNAMALAI
TIRUVANNAMALAI

V.RAMAMOORTHY ... PETITIONER in WP No.31208 of 2016
ASSISTANT DIRECTOR OF SEED CERTIFICATION
KRISHNAGIRI KRISHNAGIRI DISTRICT

K.NEDUCHEZHIAN ... PETITIONER in WP No.31209 of 2016
DEPUTY DIRECTOR OF AGRICULTURE (PULSES)
OFFICE OF THE COMMISSIONER OF AGRICULTURE
CHENNAI-5

G.RAMANAN ... PETITIONER in WP No.33137 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE CHETPET
TIRUVANNAMALAI DISTRICT.

A.M.SHANTHI ... PETITIONER in WP No.33138 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE ANAKAVUR
TIRUVANNAMALAI DISTRICT.

M.R.PALANISAMY ... PETITIONER in WP No.33139 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
GOBICHETTIPALAYAM ERODE DISTRICT

C.HARAKUMAR ... PETITIONER in WP No.33140 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
TIRUVANNAMALAI TIRUVANNAMALAI DISTRICT

E.DHANASEKAR ... PETITIONER in WP No.33141 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
KATTUMANNAR KOIL CUDDALORE DISTRICT.

A.BALA ... PETITIONER in WP No.33142 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
THANDARAMPET TIRUVANNAMALAI DISTRICT.

S.VISWANATHAN ... PETITIONER in WP No.33615 of 2016
DEPUTY DIRECTOR OF AGRICULTURE (PA TO
DISTRICT COLLECTOR) OFFICE OF THE DISTRICT
COLLECTOR ERODE ERODE ERODE DISTRICT

K.SURULIBOMMU ... PETITIONER in WP No.33616 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
TALLAKULAM MADURAI DISTRICT

N.DEIVANAYAGAM ... PETITIONER in WP No.33617 of 2016
DEPUTY DIRECTOR OF AGRICULTURE (COTTON &
SUGARCANE) OFFICE OF THE COMMISSIONER OF
AGRICULTURE CHEPAUK CHENNAI 600 005

S.ELAVARASAN ... PETITIONER in WP No.33618 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
MELBHUVANAGIRI CHIDAMBARAM CUDDALORE DISTRICT

R.SAMBATH KUMAR ... PETITIONER in WP No.33619 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
KAMMAPURAM CUDDALORE DISTRICT

K.RAJENDRAN ... PETITIONER in WP No.34572 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
ELACHIPALAYAM NAMAKKAL DISTRICT

R.CHITRADEVI ... PETITIONER in WP No.34573 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE PALLADAM
BLOCK TIRUPUR DISTRICT

R.KRISHNAMURTHY ... PETITIONER in WP No.34574 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE MOOLANUR
DHARAPURAM TALUK TIRUPUR DISTRICT

S.SHANMUGAM ... PETITIONER in WP No.34575 of 2016
DEPUTY DIRECTOR OF AGRICULTURE OFFICE OF
COMMISSISONER OF AGRICUTLRUE CHEPAUK
CHENNAI-600 005

A.MATHIALAGAN ... PETITIONER in WP No.34576 of 2016
DEPUTY DIRECTOR OF AGRICULTURE THANDALAI
THIRUVARUR-4 THIRUVARUR DISTRICT

M.VEERAMANI ... PETITIONER in WP No.34577 of 2016
DEPUTY DIRECTOR OF AGRICULTURE (AGRI
BUSINESS) UTHAGAMANDALAM THE NILGIRIS

V.RAMALINGAM ... PETITIONER in WP No.34578 of 2016
DEPUTY DIRECTOR OF AGRICULTURE VILLUPURAM
VILLUPURAM DISTRICT

R.VIVEKANANDAN ... PETITIONER in WP No.34975 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE TIRUPUR
TIRUPUR DISTRICT

A.RATHNASABAPATHY ... PETITIONER in WP No.34976 of 2016
S.NARAIYUR AND POST VEPPUR TALUK CUDDALORE
DISTRICT

A.SELVARAJ ... PETITIONER in WP No.34978 of 2016
DEPUTY DIRECTOR OF AGRICULTURE (AGRI
BUSINESS) ERODE ERODE DISTRICT

G.NAVANEETHAKANNAN ... PETITIONER in WP No.34979 of 2016
DEPUTY DIRECTOR OF AGRICULTURE OFFICE OF
COMMISSIONER OF AGRICULTURE CHEPAUK
CHENNAI 5

K.SIVAKUMAR ... PETITIONER in WP No.34980 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE CHENGAM
TIRUVANNAMALAI DISTRICT

A.ANUSUYA ... PETITIONER in WP No.38563 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE THENI
THENI DISTRICT

K.ELANGO VAN ... PETITIONER in WP No.38564 of 2016
42 KARIANGUDI CHETTI STREET VELIPALAYAM
NAGAPATTINAM DISTRICT

V.GUNASEKARAN ... PETITIONER in WP No.38565 of 2016
DEPUTY DIRECTOR OF AGRICULTURE FARMERS
TRAINING CENTRE SEELANAICKENPATTY SALEM
DISTRICT

JEYASELVIN INBARAJ ... PETITIONER in WP No.38566 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE D.W.D.A
TUTICORIN DISTRICT

B.KUMARAVADIVEL ... PETITIONER in WP No.38567 of 2016
DEPUTY DIRECTOR OF AGRICULTURE (DISTRICT
WATER SHED DEVELOPMENT AGENCY) OFFICE OF
THE JOINT DIRECTOR OF AGRICULTURE
TALLAKULAM MADURAI DISTRICT

K.KAMALA ... PETITIONER in WP No.38568 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE SEED
TESTING OFFICER DHARMAPURI DHARMAPURI
DISRICT

S.LAKSHMI ... PETITIONER in WP No.38569 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
SRIPERUMBUDUR KANCHEEPURAM DISTRICT

V.APPANRAJ ... PETITIONER in WP No.38993 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
AGRICULTURAL EXTENSION CENTRE KOLLIDAM
NAGAPATTINAM DISTRICT.

T.BHARATHI ... PETITIONER in WP No.38994 of 2016
DEPUTY DIRECTOR OF AGRICULTURE DWDA
TUTICORIN TUTICORIN DISTRICT.

G.GANESAN ... PETITIONER in WP No.38995 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE (QUALITY
CONTROL) THIRUVARUR THIRUVARUR DISTRICT.

M.ILANGO ... PETITIONER in WP No.38996 of 2016
DEPUTY DIRECTOR OF SEED INSPECTION
TALLAKULAM MADURAI-625 002.

S.KANAGARAJ ... PETITIONER in WP No.38997 of 2016
JOINT DIRECTOR OF AGRICULTURE TALLAKULAM
MADURAI-625 002.

J.MALLIKA ... PETITIONER in WP No.38998 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
ANNAGRAMAM PANRUTI TALUK CUDDALORE
DISTRICT.

S.I.MUHAIDEEN ... PETITIONER in WP No.38999 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE KAYATHAR
TUTICORIN DISTRICT

A.MOHANRAJ ... PETITIONER in WP No.39000 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE TUTICORIN
TUTICORIN DISTRICT

P.RAMANATHAN ... PETITIONER in WP No.39001 of 2016
DEPUTY DIRECTOR OF AGRICULTURE OFFICE OF
JOINT DIRECTOR OF AGRICULTURE TALLAKULAM
MADURAI-625 002.

T.TAMIL MAZHAR ... PETITIONER in WP No.39002 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
TIRUCHENDUR TUTICORIN DISTRICT

S.UTHANDARAMAN ... PETITIONER in WP No.39003 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE UDANGUDI
TUTICORIN DISTRICT

T.SUGUMAR ... PETITIONER in WP No.39594 of 2016
9/17 VAITHILINGA CHETTY STREET AMMAPET
SALEM DISTRICT

T.NATESAN ... PETITIONER in WP No.39595 of 2016
8/1 CUTCHERY ROAD THIRUTHURAIPOONDI
THIRUVARUR DISTRICT.

C.PALANIVELAYUTHAM ... PETITIONER in WP No.39596 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE (QUALITY
CONTROL) TUTICORIN TUTICORIN DISTRICT

K.MAYILVAHANAN ... PETITIONER in WP No.39597 of 2016
180 BHARATHIYAR STREET NEAR R.S.THEATRE
SILAMARATHUPATTI AND POST BODINAYAKKANUR
TALUK THENI DISTRICT

K.SYED ANSER PASHA ... PETITIONER in WP No.39598 of 2016
ASSISTANT DIRECTOR OF HORTICULTURE
PANANKADU SALEM DISTRICT

M.TAMIL SELVAN ... PETITIONER in WP No.39599 of 2016
DEPUTY DIRECTOR OF AGRICULTURE OFFICE OF
THE JOINT DIRECTOR OF AGRICULTURE TIRUPPUR
TIRUPPUR DISTRICT

A.THENMOZHI ... PETITIONER in WP No.39600 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
KOTTAMPATTI MADURAI DISTRICT

S.ARUMUGAM ... PETITIONER in WP No.33305 of 2016
106 MALAIYARASAN KOVIL THENVADAL STREET
ARUPPUKOTTAI VIRUDHUNAGAR DISTRICT.

P.ASOKAN ... PETITIONER in WP No.30546 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
NAMAGIRIPETTAI.

2 B.DEVANATHAN
ASSISTANT DIRECTOR OF AGRICULTURE
THIRUNINRAVUR VILLUPURAM DISTRICT.

3 M.ELAVARASAN
ASSISTANT DIRECTOR OF AGRICULTURE
THIRUVENNAINALLUR VILLUPURAM DISTRICT.

4 A.ELANGO VAN
ASSISTANT DIRECTOR OF AGRICULTURE VEPPUR
PERAMBALUR DISTRICT

5 S.KARUNANIDHI
ASSISTANT DIRECTOR OF AGRICULTURE
SANKARAPURAM ASSISTANT DIRECTOR OF
AGRICULTURE VILLUPURAM DISTRICT

6 V.MOHAN VIJAYAKUMAR
ASSISTANT DIRECTOR OF AGRICULTURE
KABILARMALAI NAMAKKAL DISTRICT

7 NAMACHIVAYAM
ASSISTANT DIRECTOR OF AGRICULTURE PARAMATHY
NAMAKKAL DISTRICT

8 PAKYALA PRATAPA RAO
ASSISTANT DIRECTOR OF AGRICULTURE ELLAPURAM
THIRUVALLUR DISTRICT.

9 M.RAJENDRAN
ASSISTANT DIRECTOR OF AGRICULTURE
AGRICULTURAL EXTENSION CENTRE UTHANGARAI
KRISHNAGIRI DISTRICT.

10 K.RAVEENDRAN
ASSISTANT DIRECTOR OF AGRICULTURE VALLAM
VILLUPURAM DISTRICT.

11 R.RAVI
ASSISTANT DIRECTOR OF AGRICULTURE SEED
CERTIFICATION MANNARPURAM TIRUCHIRAPALLI
AND DISTRICT

12 K.RAJASEKAR
ASSISTANT DIRECTOR OF AGRICULTURE MAILAM
VILLUPURAM DISTRICT

13 M.SELVARAJ
ASSISTANT DIRECTOR OF AGRICULTURE CHINNA
SALEM VILLUPURAM DISTRICT.

14 R.THANGARAJU
ASSISTANT DIRECTOR OF AGRICULTURE
SENDAMANGALAM NAMAKKAL DISTRICT

15 R.THILAGAVATHI
ASSISTANT DIRECTOR OF AGRICULTURE
SHOLAVARAM TIRUVALLUR

16 T.N.UMA DEVI
ASSISTANT DIRECTOR OF AGRICULTURE MINJUR
TIRUVALLUR DISTRICT

17 R.VARADARAJU
ASSISTANT DIRECTOR OF AGRICULTURE
PUDUCHATRAM NAMAKKAL DISTRICT.

T.LOGANATHAPRAKASAM ... PETITIONER in WP No.30547 of 2016
DEPUTY DIRECTOR OF AGRICULTURE (GOI)
NAMAKKAL NAMAKKAL DISTRICT

2 A.MUBARAK BASHA
DEPUTY DIRECTOR OF AGRICULTURE (SS)
THIRUVALLUR THIRUVALLUR

3 S.SEKAR
DEPUTY DIRECTOR OF AGRICULTURE PERAMBALUR
PERAMBALUR DISTRICT

4 T.STANLI
DEPUTY DIRECTOR OF SEED INSPECTION
KURALAGAM CHENNAI-108.

5 M.SUBBIAH
DEPUTY DIRECTOR OF AGRICULTURE FARMERS
TRAINING CENTRE NAMAKKAL NAMAKKAL DISTRICT

K.PREMALATHA ... PETITIONER in WP No.29406 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE OFFICE OF
THE JOINT DIRECTOR OF AGRICULTURE
COIMBATORE COIMBATORE DISTRICT.

M.K.JAYASREE ... PETITIONER in WP No.29407 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE SULUR
COIMBATORE DISTRICT.

V.SEKAR ... PETITIONER in WP No.29408 of 2016
ASSISTANT DIRECTOR OF HORTICULTURE
KADAYAMPATTI SALEM DISTRICT.

N.RAJENDRAN ... PETITIONER in WP No.29409 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
PAPPIREDDIPATTI DHARMAPURI DISTRICT.

VASANTHI GNANASEKAR ... PETITIONER in WP No.29410 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE
THONDAMUTHUR COIMBATORE DISTRICT.

G.NAGALINGAM ... PETITIONER in WP No.29411 of 2016
ASSISTANT DIRECTOR OF HORTICULTURE KOLATHUR
SALEM DISTRICT.

D.SUSEELA ... PETITIONER in WP No.30514 of 2016
ASSISTANT DIRECTOR OF HORTICULTURE AMBATTUR THIRUVALLUR DISTRICT

P.PREMAVATHI ... PETITIONER in WP No.30515 of 2016
ASSISTANT DIRECTOR OF HORTICULTURE OFFICE
OF TANHODA CHEPAUK CHENNAI-600 005.

H.S.SIDDAGANGAIAH ... PETITIONER in WP No.30516 of 2016
ASSISTANT DIRECTOR OF HORTICULTURE OFFICE OF
DEPUTY DIRECTOR OF HORTICULTURE THIRUVALLUR
THIRUVALLUR DISTRICT

B.SAVITHRI ... PETITIONER in WP No.30517 of 2016
ASSISTANT DIRECTOR OF HORTICULTURE
ELLAPURAM THIRUVALLUR DISTRICT

A.ANTONY PAUL RAJ ... PETITIONER in WP No.28270 of 2016
ASSISTANT DIRECTOR OF AGRICULTURE KUNDADAM
BLOCK DHARAPURAM TALUK TIRUPUR DISTRICT

2 M.R.ASHOKAN
ASSISTANT DIRECTOR OF AGRICULTURE
PENNAGARAM DHARMAPURI DISTRICT

3 S.CHINNASAMY
ASSISTANT DIRECTOR OF AGRICULTURE (QUALITY
CONTROL) OFFICE OF JOINT DIRECTOR OF
AGRICULTURE NAMAKKAL NAMAKKAL DISTRICT

4 P.CHIDAMBARAM
ASSISTANT DIRECTOR OF AGRICULTURE
THOOKANAICKAN PALAYAM ERODE DISTRICT

5 G.DHURAISAMY
ASSISTANT DIRECTOR OF AGRICULTURE (QUALITY
CONTROL) OFFICE OF JOINT DIRECTOR OF
AGRICULTURE SEMANDALAM CUDDALORE
CUDDALORE DISTRICT

6 K.GANESAN
ASSISTANT DIRECTOR OF AGRICULTURE (QUALITY
CONTROL) OFFICE OF JOINT DIRECTOR OF
AGRICULTURE ARIYALUR TIRUCHIRAPALLI
DISTRICT

7 K.KAILASAPATHY
ASSISTANT DIRECTOR OF AGRICULTURE
KULITHALAI KARUR DISTRICT

8 M.V.MOHANASUNDARAM
ASSISTANT DIRECTOR OF AGRICULTURE (PUBLICITY
& PROPAGANDA) TAMIL NADU STATE AGRICULTURAL
MARKETING BOARD COIMBATORE COIMBATORE
DISTRICT

9 K.MURUGAVEL
ASSISTANT DIRECTOR OF AGRICULTURE
SEELANAYAKANPATTI SALEM SALEM DISTRICT

10 K.MANIVANNAN
ASSISTANT DIRECTOR OF AGRICULTURE
AGRICULTURE EXTENSION CENTRE TARAMANGALAM
SALEM DISTRICT

11 S.M.MANIKUMAR
ASSISTANT DIRECTOR OF AGRICULTURE
VEERAPANDI SALEM DISTRICT

12 M.MADHAVAN
ASSISTANT DIRECTOR OF AGRICULTURE (TRAINING)
TAMIL NADU STATE AGRICULTURAL MARKETING
BOARD SALEM SALEM DISTRICT

13 C.PERIASAMY
ASSISTANT DIRECTOR OF AGRICULTURE
AGRICULTURAL EXTENSION CENTRE ERODE-1
ERODE DISTRICT

14 R.PANEERSELVAM
ASSISTANT DIRECTOR OF AGRICULTURE KOLATHUR
STATE SEED FARM MATHAIYANKUTTAI METTUR DAM
SALEM DISTRICT

15 C.RANGANATHAN
ASSISTANT DIRECTOR OF AGRICULTURE
THALAIVASAL SALEM DISTRICT

16 M.RAHGAVENDRA RAO
ASSISTANT DIRECTOR OF AGRICULTURE PUZHAL NO.
1 GANDHI MAIN ROAD PUZHAL TIRUVALLUR
DISTRICT

17 PRAVICHANDRAN
ASSISTANT DIRECTOR OF AGRICULTURE (QUALITY
CONTROL) OFFICE OF JOINT DIRECTOR OF
AGRICULTURE KARUR KARUR DISTRICT

18 S.RAJESWARAN
ASSISTANT DIRECTOR OF AGRICULTURE EXTENSION
CENTRE ANDANALLUR TIRUCHIRAPALLI
TIRUCHIRAPALLI DISTRICT

19 R.SANTHANAKRISHNAN
ASSISTANT DIRECTOR OF AGRICULTURE
VAIYAMPATTI TIRUCHIRAPALLI DISTRICT

20 K.SAIT MOHAMED
ASSISTANT DIRECTOR OF AGRICULTURE MANAPARAI
TIRUCHIRAPALLI DISTRICT

21 R.SUBRAMANIAM
ASSISTANT DIRECTOR OF AGRICULTURE KOLLI
HILLS NAMAKKAL DISTRICT

22 K.R.SATHAPPAN
ASSISTANT DIRECTOR OF AGRICULTURE (QUALITY
CONTROL) OFFICE OF JOINT DIRECTOR OF
AGRICULTURE SIVAGANGAI SIVAGANGAI DISTRICT

23 K.TAMILSELVAN
ASSISTANT DIRECTOR OF AGRICULTURE
MADATHUKULAM TIRUPUR DISTRICT

24 DR.TOM P.SILAS
ASSISTANT DIRECTOR OF AGRICULTURE
AGRICULTURE EXTENSION CENTRE SEVUR ROAD
AVINASI TIRUPUR DISTRICT

25 S.VASUDEVAN
ASSISTANT DIRECTOR OF AGRICULTURE
AGRICULTURE EXTENSION CENTRE PERUNDURAI
ERODE DISTRICT

26 K.VELAYUTHAM
ASSISTANT DIRECTOR OF AGRICULTURE
ULUNDURPET VILLUPURAM DISTRICT

P.MURUGAVEL ... PETITIONER in WP No.11235 of 2017
JOINT DIRECTOR OF AGRICULTURE TIRUVALLUR
TIRUVALLUR DISTRICT

-VS-

1. The State of Tamil Nadu
Rep by the Secretary to Government (Expenditure)
Finance Department
Fort St.George
Chennai 600 009

2. Principal Secretary to Government
Personnel and Administrative
Reforms (S) Department
Fort St. George
Chennai 600 009

...RR1 & 2 in all WPs.

3. The Commissioner/Director of Agriculture
Chepauk
Chennai 600 005

4. Senior Deputy Accountant General/FS1
Office of the Accountant General
Economic and Revenue Sector Audit
Lekha Pariksha Bhavan
361, Anna Salai, Chennai 600 080
5. Deputy Accountant General/ES1
Office of the Accountant General
Economic and Revenue Sector Audit
Lekha Pariksha Bhavan
361, Anna Salai
Chennai 600 080
...RR3 to 5 in WP.Nos.28069,
30323 to 30325, 31206 to 31209,
33137 to 33142, 33615 to 33619,
34572 to 34578, 34975, 34976,
34978 to 34980, 38563 to 38569,
38993 to 39001, 39003, 39594 to
39600, 33305, 30546, 30547,
29406, 29407, 29409, 29410,
30514 to 30517, 28270 of 2016
and 11235 of 2017
6. Joint Director of Agriculture
Namakkal, Namakkal District
... 6th Respondent in WP.No.28069/2016
7. The Senior Accounts Officer,
O/o.the Accountant General(A & E)
Tamil Nadu 361, Anna Salai,
Chennai 18
...6th Respondent in WP.No.30323 of 2016
...R7 in WP.No.30324/16, R6 in WP.No.34576/16,
34577/16, 34578/16,
R6 in WP.No.39597/16, WP.No.39599/16
R6 in WP.No.33305/16
8. Agriculture Production
Commissioner & Secretary to Government
Agriculture (AFI) Department, Fort St.
George, Chennai-9
...R7 in WP.No.30323/16
...R9 in WP.No.30324/16
9. The Joint Director of Agriculture,
Villupuram
...R8 in WP.No.30324/16, WP.34976/16

10. The Joint Director of Agriculture
Dharmapuri ...R6 in WP.No.30325/16
11. The Director of Horticulture
Chepauk Chennai-5 ...R3 in WP.No.30326/16, R3 in
WP.No.29408/18, 29411/16
12. The Deputy Director of Horticulture
Sivagangai ...R4 in WP.No.30326/16
13. The Deputy Director of Horticulture
Erode ...R6 in WP.No.31206/16
14. The Joint Director of Agriculture,
Thanjavur ...R6 in WP.No.31207/16, 31209/16
15. The Joint Director of Agriculture
Krishnagiri ...R6 in WP.31208/16
16. The Joint Director of
Agriculture Thiruvannamalai
Thiruvannamalai District ...R6 in WP.33137/16, 33138/16,
33140/16, 33142/16, 34980/16
17. The Joint Director of Agriculture,
Erode ...R6 in WP.No.33139/16
18. The Director of Seed
Certification & Organic Certification
Coimbatore Coimbatore District.
...R6 in WP.33141/16, 38568/16
19. Pay & Accounts Officer(East)
Office of the Accountant General Economic
and Revenue Section Audit, Lekha Pariksha
Bhavan, 361, Anna Salai, Chennai-600 018
...R6 in WP.No.34575/16, 34979/16
20. The Deputy Director of Horticulture,
Karur ...R6 in WP.No.34577/16
21. The Deputy Director of Horticulture,
Coimbatore ...R6 in WP.34975/16, 29406/16,
29410/16
22. The Commissioner
Agriculture Sales and Marketing Sipcot Road
Guindy Chennai 32 ...R6 in WP.34978/16, 39594/16

- 23 The Joint Director of Horticulture,
Madhavaram, Chennai 51 ...R7 WP.No.34979/16
- 24 The Deputy Director of Horticulture,
Madurai ...R6 in WP.No.38563/16,39600/16
- 25 The Joint Director of Agriculture
Thiruvavarur ...R6 in WP.38564/16, 38995/16,
39595/16
- 26 The Joint Director of Agriculture,
Salem ...R6 in WP.No.38565/16
- 27 The Joint Director of Tirunelveli,
Tirunelveli ...R6 in WP.No.38566/16
- 28 The Joint Director of Agriculture,
Ramanathapuram ...R6 in WP.38567/16
- 29 The Joint Director of Agriculture,
Kancheepuram ...R6 in WP.38569/16
- 30 The Deputy Director of Horticulture
Cuddalore ...R6 in WP.No.38998/16
- 31 The Deputy Director of Horticulture
Tuticorin ...R6 in WP.No.39596/16
- 32 The Deputy Director of Horticulture
Salem ...R6 in WP.No.39598/16
...R4 in WP.29408/16
...R4 in WP.29411/16
- 33 The Agriculture Production
Commissioner & Secretary to Government
Agriculture Department Fort St. George
Chennai-9. ...R7 WP.No.33305/16
- 34 The Joint Director of Agriculture,
Coimbatore ...R6 in WP.29407/16
- 35 The Deputy Director of Horticulture,
Dharmapuri ...R6 in WP.No.29409/16
- 36 The Joint Director of Horticulture
Thiruvallur ...R7 in WP.No.30514/16,
R6 in WP.No.30515/16,
R6 in WP.No.30516/16
R6 in WP.No.30517/16

37 The Deputy Director of Horticulture
Thiruvallur

...R7 in WP.30515/16, 30514/16,
30516/16, 30517/16

WP No.28069 of 2016

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the impugned proceedings of the first respondent in Letter No. 54826/PC-3/2015-1 dated 11.09.2015, the consequent proceedings of the third respondent in letter No.AGA.1/74103/2013 dated 12.01.2016, the impugned show cause notice of the sixth respondent in No. U1/1417/2016 dated 15.02.2016, quash the same.

WP No.30323 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015 and the consequent proceedings of the 7th respondent in Letter No.12148/Va.Nel/2016/2 dated 31.5.2016 quash the same and direct the respondents to refix the petitioners salary and pensionary benefits granting the petitioner benefit under G.O.Ms.No.237 Finance (Pay Cell) Department dated 22.07.2013

WP No.30324 of 2016

Calling for the records relating to the impugned proceedings of the 3rd respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015 and the consequent proceedings of the 3rd respondent in Letter No.AGA.1, 74103/2013, dated 12.1.2016 the impugned order of the 8th respondent in Se.Mu.No.A1/884/2016 dated 13.7.2016 the order passed by the 8th respondent in Se.Mu.No.A1/884/2016 (4) dated 13.7.2016 and the order passed by the 9th respondent in letter No.17896/Ve.Ni.1/2016-2 dated 29.7.2016 quash the same, direct respondents 1 to 3 to refix the petitioners salary in the cadre of Deputy Director of Agriculture on the basis of the last pay certificate in the cadre of Assistant Director of Agriculture dated 12.8.2015..

WP No.30325 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015 the proceedings of the 6th respondent in Letter No.A1/3321/2015 dated 9.8.2016 quash the same

WP No.30326 of 2016

Calling for the records relating to the impugned proceedings of the 2nd respondent in 23373/G/2011-12 dated 9.8.2011 and the impugned proceedings of the 4th respondent in Se.Mu.No.Pa.Nil/967/2016 dated 28.7.2016 quash the same

WP No.31206 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015 and the consequent proceedings of the 6th respondent in Se.Mu.Aa. No.A1/2027/16 dated 20.5.2016 quash the same and direct the respondents 1 to 3 to grant to the petitioner additional increment order to be paid in and by G.O.Ms.No.237 Finance (Pay Cell) Department dated 22.07.2013

WP No.31207 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015 and the consequent proceedings of the 3rd respondent in Letter No.AGA.1/74103/2013 dated 12.1.2016 and the impugned order of the 6th respondent in No.A1/549/16(2) dated 27.5.2016 quash the same

WP No.31208 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015 and the consequent proceedings of the 6th respondent in Se.Mu.Aa. No.A1/3775/13-2 dated 12.7.2016 quash the same and direct the respondents 1 to 3 to grant to the petitioner additional increment order to be paid in and by G.O.Ms.No.237 Finance (Pay Cell) Department dated 22.07.2013

WP No.31209 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015 and the consequent proceedings of the 3rd respondent in Letter No.AGA.1/74103/2013, dated 12.1.2016 and the impugned order of the 6th respondent in No.A1/549/16(2) dated 12.5.2016 quash the same

WP No.33137 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/ 2015-1 dated 11.9.2015, the impugned order passed by the 6th respondent in No.A1/6349/ 2016(1) dated 19.7.2016 and in No.A1/6349/ 2016(1) dated 1.8.2016 quash the same

WP No.33138 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/ 2015-1 dated 11.9.2015, the impugned order passed by the 6th respondent in No.A1/6349/ 2016(3) dated 19.7.2016 and in No.A1/6349/ 2016(3) dated 1.8.2016 quash the same

WP No.33139 of 2016

Calling for the records impugned Government Letter in 23373/S/2011-12 dated 9.8.2011 and the impugned proceedings of the 6th respondent in Se.Mu. No.A1/2027/2016 dated 13.6.2016 and quash the same

WP No.33140 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/ 2015-1 dated 11.9.2015, the impugned order passed by the 6th respondent in No.A1/6349/ 2016(6) dated 19.7.2016 and in No.A1/6349/ 2016(6) dated 1.8.2016 quash the same

WP No.33141 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/ 2015-1 dated 11.9.2015, the impugned order passed by the 6th respondent in No.A2/3652/ 16(5) dated 14.6.2016 quash the same

WP No.33142 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/ 2015-1 dated 11.9.2015, the impugned order passed by the 6th respondent in No.A1/6349/ 2016 dated 19.7.2016 and in No.A1/6349/ 2016(2) dated 1.8.2016 quash the same

WP No.33615 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/2015-1 dated 11/09/2015, and the consequent proceedings of the 3rd respondent in letter No. AGA.1, 74103/2013 dated 12/01/2016, quash the same

WP No.33616 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/2015-1 dated 11/09/2015, and the consequent proceedings of the 3rd respondent in letter No. AGA.1, 74103/2013 dated 12/01/2016 and the proceedings of the 5th respondent in No.AG (E & RSA) ES-1/ISC- ESI/Genl./2015-16/219 dated 1.5.2016 quash the same

WP No.33617 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/2015-1 dated 11/09/2015, and the consequent proceedings of the 3rd respondent in letter No. AGA.1, 74103/2013 dated 12/01/2016, quash the same

WP No.33618 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/2015-1 dated 11/09/2015, and the consequent proceedings of the 3rd respondent in letter No. AGA.1, 74103/2013 dated 12/01/2016 and the proceedings of the 5th respondent in No.AG (E & RSA) ES-1/ISC- ESI/Genl./2015-16/219 dated 1.5.2016 quash the same

WP No.33619 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/PC-3/2015-1 dated 11/09/2015, and the consequent proceedings of the 3rd respondent in letter No. AGA.1, 74103/2013 dated 12/01/2016 and the proceedings of the 5th respondent in No.AG (E & RSA) ES-1/ISC- ESI/Genl./2015-16/219 dated 1.5.2016 quash the same

WP No.34572 of 2016

Calling for the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/ 2015-1 dated 11/09/2015 and the consequent proceedings of the 3rd respondent in Letter No. AGA.1 / 74103/2013 dated 12/01/2016 and the proceedings of the 5th respondent in No.AG (E& RSA) ES-1/ISC-ESI/Genl./2015-16/219 dated 01/05/2016 quash the same

WP No.34573 of 2016

Calling for the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/ 2015-1 dated 11/09/2015 and the consequent proceedings of the 3rd respondent in Letter No. AGA.1 / 74103/2013 dated 12/01/2016 and the proceedings of the 5th respondent in No.AG (E& RSA) ES-1/ISC-ESI/Genl./2015-16/219 dated 01/05/2016 quash the same

WP No.34574 of 2016

Calling for the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/ 2015-1 dated 11/09/2015 and the consequent proceedings of the 3rd respondent in Letter No. AGA.1 / 74103/2013 dated 12/01/2016 and the proceedings of the 5th respondent in No.AG (E& RSA) ES-1/ISC-ESI/Genl./2015-16/219 dated 01/05/2016 quash the same

WP No.34575 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/ 2015-1 dated 11/09/2015 and the consequent proceedings of the 3rd respondent in Letter No. AGA.1 / 74103/2013 dated 12/01/2016 quash the same and direct the respondents 4 to 6 to refix the petitioner salary

in the cadre of Deputy Director of Agriculture taking into account the advancement of Selection grade in the cadre of Assistant Director of Agriculture based upon G.O.Ms.NO. 210 Personnel and Administrative Reforms (Per.S) Department dated 11/03/1987 and payment of additional increment vide G.O.Ms.No. 237 Finance (pay Cell) Department dated 22/07/2013

WP No.34576 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/ 2015-1 dated 11/09/2015 and the consequent proceedings of the 3rd respondent in Letter No. AGA.1 / 74103/2013 dated 12/01/2016 quash the same and direct the respondents 4 to 6 to refix the petitioner salary in the cadre of Deputy Director of Agriculture taking into account the advancement of Selection grade in the cadre of Assistant Director of Agriculture based upon G.O.Ms.NO. 210 Personnel and Administrative Reforms (Per.S) Department dated 11/03/1987 and payment of additional increment vide G.O.Ms.No. 237 Finance (pay Cell) Department dated 22/07/2013

WP No.34577 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/ 2015-1 dated 11/09/2015 and the consequent proceedings of the 3rd respondent in Letter No. AGA.1 / 74103/2013 dated 12/01/2016 quash the same and direct the respondents 4,5 and 7 to refix the petitioner salary in the cadre of Deputy Director of Agriculture taking into account the advancement of Selection grade in the cadre of Assistant Director of Agriculture based upon G.O.Ms.NO. 210 Personnel and Administrative Reforms (Per.S) Department dated 11/03/1987 and payment of additional increment vide G.O.Ms.No. 237 Finance (pay Cell) Department dated 22/07/2013

WP No.34578 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/ 2015-1 dated 11/09/2015 and the consequent proceedings of the 3rd respondent in Letter No. AGA.1 / 74103/2013 dated 12/01/2016 quash the same and direct the respondents 4 and 5 to refix the petitioner salary in the cadre of Deputy Director of Agriculture

WP No.34975 of 2016

calling for the records relating to the impugned proceedings of the 2nd respondent in 23373/S/2011-12 dt 9.8.2011 and the impugned proceedings of the 6th respondent in No. A2/2066/16 dt 4.8.2016 quash the same

WP No.34976 of 2016

calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/2015-1 dt 11.9.2015,

the proceedings of the 6th respondent in Letter No. A1/3321/2015 dt 9.8.2016 quash the same

WP No.34978 of 2016
calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/2015-1 dt 11.9.2015, the consequent proceedings of the 3rd respondent in Letter No. AGA.1/74103/2013 dt 12.1.2016 and the impugned proceedings of the 6th respondent in Letter No. Tho Ni. Pe.1/14802/2016 dt 22.7.2016 quash the same and direct respondents 4 and 5 to re fix petitioner salary in the cadre of Deputy Director of Agriculture

WP No.34979 of 2016
calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/2015-1 dt 11.9.2015, the consequent proceedings of the 3rd respondent in Letter No. AGA.1/74103/2013 dt 12.1.2016 and the proceedings of the 7th respondent in Letter No. U/1745/2012 dt 15.4.2016 quash the same, direct respondents 5 and 6 to re fix petitioner salary in the cadre of Deputy Director of Agriculture taking into account the advancement of Selection Grade in the cadre of Assistant Director of Agriculture based upon G.O.Ms. No. 210 Personnel and Administrative Reforms (Per.S) Department dt 11.3.1987 and payment of additional increment vide G.O. Ms. No. 237 Finance (Pay Cell) Department ..

WP No.34980 of 2016
calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/2015-1 dt 11.9.2015, the impugned order passed by the 6th respondent in No. A1/6349/2016 (5) dt 19.7.2016 quash the same

WP No.38563 of 2016
Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015 and the impugned order passed by the 6th respondent in A1/2406/16 dated 29.7.2016 quash the same

WP No.38564 of 2016
Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015, consequent proceedings of the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.1.2016 the impugned proceedings of the 6th respondent in A1/3679/2016(1) dated 24.5.2016 quash the same

WP No.38565 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015 and the consequent proceedings of the 3rd respondent in Letter AGA.1/ 74103/2013 dated 12.1.2016 the impugned proceedings the 6th respondent in Che.Mu.No.A1/ 4749/2016(4) dated 24.8.2016 quash the same and direct the respondents 4 and 5 to re-fix the petitioner salary in the Cadre of Deputy Director of Agriculture

WP No.38566 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015 and the impugned order passed by the 6th respondent in No.N5/12376/2016 dated 21.7.2016 quash the same

WP No.38567 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015 and the consequent proceedings of the 3rd respondent in Letter AGA.1/ 74103/2013 dated 12.1.2016 and the impugned proceedings of the 6th respondent in Pa.Ni.1/ 1192/2016 dated 13.5.2016 quash the same

WP No.38568 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015, the impugned order passed by the 3rd respondent in Letter AGA.1/ 74103/2013 dated 12.1.2016 and the proceedings of the 6th respondent in No.A2/ 3652/16(11) dated 14.6.2016 quash the same

WP No.38569 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015 and the impugned order passed by the 6th respondent in A1/670/2016 dated 20.6.2016 quash the same

WP No.38993 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.38994 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the consequent proceedings of the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.38995 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.38996 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the consequent proceedings of the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.38997 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the consequent proceedings of the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.38998 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.38999 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.39000 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.39001 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.39002 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.39003 of 2016

Calling for the records relating to the impugned proceedings of

the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 3rd respondent in Letter No.AGA.1/ 74103/2013 dated 12.01.2016 quash the same

WP No.39594 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015 and the proceedings of the 6th respondent in Che.Mu. Aa.No.T.N.P.1/ 35328/2016 dated 16.7.2016 quash the same and direct the respondents to pay petitioner pensionary benefits

WP No.39595 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015, the consequent proceedings of the 3rd respondent in Letter No.AGA.1/74103/2013 dated 12.1.2016 the impugned proceedings of the 6th respondent in No.A1/ 3679/2016 dated 19.8.2016 quash the same

WP No.39596 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015, the impugned order passed by the 6th respondent in Letter No.Nil/ 1443/2016(2) dated 8.6.2016 quash the same

WP No.39597 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.9.2015, the consequent proceedings of the 3rd respondent in Letter No.AGA.1/74103/2013 dated 12.1.2016 the impugned proceedings of the 6th respondent in No.GAD3/IV/ 2016-17/719/38942 dated 5.8.2016 quash the same

WP No.39598 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 and the impugned order passed by the 6th respondent in A1/06/16(2) dated 18.07.2016 quash the same

WP No.39599 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/ 2015-1 dated 11/09/2015 the consequent proceedings of the 3rd respondent in Letter No. AGA.1 / 74103/2013 dated 12/01/2016, the impugned proceedings of the 6th respondent in GAD/II/I/16-17/19737, dated

2.6.2016 quash the same and direct the respondents 4 and 5 to refix the petitioner salary in the cadre of Deputy Director of Agriculture

WP No.39600 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/2015-1 dated 11.09.2015 the impugned order passed by the 3rd respondent in Letter No. AGA.1/74103/2013 dated 12.01.2016 and the proceedings of the 6th respondent in Che.Mu.A. No.A1/2406/16 dated 18.8.2016 quash the same

WP No.33305 of 2016

Directing the respondents to calculate the benefits due to the petitioner on the petitioner retirement as Deputy Director representing the amount due towards Earned Leave and Un-earned leave and pay the same to the petitioner with 18% interest from 10.1.2016

WP No.30546 of 2016

Calling records relating to the impugned letter of the 1st Respondent in Lr. No.54826/PC-3/2015-1 dt. 11.09.2015, the consequent proceedings of the 3rd Respondent dated in Lr.No.AGA.1/74103/2013 dt. 12.01.2016 and Lr.No.Pa.A.Pa.4/110425/2015 dt. 20.03.2016 and the proceedings of the 5th Respondent in No.AG (E&RSA) ES-1/ISC-ESI/Gnl./2015-16/219 dt. 01.05.2016 quash the same and direct Respondents 1 to 3 to grant to the Petitioners the additional increments ordered to be paid in any by G.O.Ms.No.237 Finance (Pay Cell) Dept. dt. 22.07.2013.

WP No.30547 of 2016

Calling records relating to the impugned letter of the 1st Respondent in Lr. No.54826/PC-3/2015-1 dt. 11.09.2015, the consequent proceedings of the 3rd Respondent dated in Lr.No.AGA.1/74103/2013 dt. 12.01.2016 and the proceedings of the 5th Respondent in No.AG (E&RSA) ES-1/ISC-ESI/Gnl./2015-16/219 dt. 01.05.2016 quash the same and direct Respondents 1 to 3 to grant to the Petitioners the additional increments ordered to be paid in any by G.O.Ms.No.237 Finance (Pay Cell) Dept. dt. 22.07.2013.

WP No.29406 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015, the consequent proceedings of the 6th respondent in No.A/2326/2016 dated 21.7.2016 quash the same

WP No.29407 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015, the consequent proceedings of the 6th respondent in No.A2/596/2016 dated 3.5.2016 quash the same

WP No.29408 of 2016

Calling for the impugned proceedings of the 2nd respondent in 23373/G/2011-12 dated 9.8.2011, the impugned proceedings of the 4th respondent in Se.Mu.A. No.A1/3511/2016(2) dated 12.7.2016 and the impugned proceedings of the 4th respondent in Aa1/06/16 dated 18.7.2016 quash the same

WP No.29409 of 2016

Calling for the records relating to the impugned proceedings of the 1st respondent in Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015, the consequent proceedings of the 3rd respondent in Letter No.AGA.1, 74103/2013 dated 12.1.2016, the order passed by the 6th respondent in Se.Mu.Aa. No.A/3588/2016 dated 12.7.2016 and in Se.Mu. No.A3/ 588/2016 dated 15.7.2016 quash the same and direct the respondents 1 to 3 to grant the petitioner Additional Increment ordered to be paid in and by G.O.Ms. No.237 Finance (Pay Cell) Department dated 22.7.2013

WP No.29410 of 2016

Calling for the records relating to the impugned Letter No.54826/ PC-3/ 2015-1 dated 11.9.2015 of the 1st respondent, the consequent proceedings of the 6th respondent in No.Aa3/ 2066/2016 dated 8.7.2016 and in Che.Mu.A. No.A/3081/2016 dated 12.7.2016 quash the same

WP No.29411 of 2016

Calling for the impugned proceedings of the 2nd respondent in 23373/G/2011-12 dated 9.8.2011, the impugned proceedings of the 4th respondent in Se.Mu.A. No.A1/3511/2016(1) dated 12.7.2016 and the impugned proceedings of the 4th respondent in Aa1/06/16 (1) dated 18.7.2016 quash the same

WP No.30514 of 2016

Calling for the impugned Government Letter in 23373/ S/ 2011- 12 dated 09.08.2011 of the 2nd respondent, impugned proceedings of the 3rd respondent in Letter No. Pa. A.Pa1 /4001/ 2012 dated 20.03.2012 and the impugned proceedings of the 7th respondent dated 25.01.2016 quash the same and direct respondents 1 and 2 to grant the petitioner additional increment based upon G.O.Ms. No.237 Finance (Pay Cell) Department dated 22.07.2013

WP No.30515 of 2016

Calling for the impugned Government Letter in 23373/ S / 2011-12 dated 09.08.2011 of the 2nd respondent, impugned proceedings of the 3rd respondent in Letter No. Pa. A.Pal /4001/ 2012 dated 20.03.2012 and the impugned proceedings of the 7th respondent dated 25.01.2016 quash the same and direct respondents 1 and 2 to grant the petitioner additional increment based upon G.O.Ms. No.237 Finance (Pay Cell) Department dated 22.07.2013

WP No.30516 of 2016

Calling for the impugned Government Letter in 23373/ S/ 2011- 12 dated 09.08.2011 of the 2nd respondent, impugned proceedings of the 3rd respondent in Letter No. Pa. A.Pal /4001/ 2012 dated 20.03.2012 and the impugned proceedings of the 7th respondent dated 25.01.2016 quash the same and direct respondents 1 and 2 to grant the petitioner additional increment based upon G.O.Ms. No.237 Finance (Pay Cell) Department dated 22.07.2013

WP No.30517 of 2016

Calling for the impugned Government Letter in 23373/ S/ 2011- 12 dated 09.08.2011 of the 2nd respondent, impugned proceedings of the 3rd respondent in Letter No. Pa. A.Pal /4001/ 2012 dated 20.03.2012 and the impugned proceedings of the 7th respondent dated 25.01.2016 quash the same and direct respondents 1 and 2 to grant the petitioner additional increment based upon G.O.Ms. No.237 Finance (Pay Cell) Department dated 22.07.2013

WP No.28270 of 2016

Calling for the impugned proceedings of the 1st respondent in Letter No. 54826/PC-3/2015-1 dated 11/09/2015 and the consequent proceedings of the 3rd respondent in Letter No. AGA.1, 74103/2013 dated 12/01/2016 and the proceedings of the 5th respondent in No.AG (E & RSA) ES-1/ISC-ESI/Genl. /2015-16/219 dated 01/05/2016 quash the same

WP No.11235 of 2017

calling for the records relating to the impugned proceedings of the 1st respondent in Letter NO.54826/ PC-3/ 2015-1 dated 11/09/ 2015 and the impugned proceedings of the 3rd respondent in Letter No.AGA.1, 74103/ 2013 dated 12.01.2016 quash the same

For Petitioners:: Mr.V.Selvaraj in all Writ Petitions

For Respondents:: Mr.P.H.Aravindh Pandian
Additional Advocate General
assisted by
Mr.V.Jayaprakash Narayanan
Special Government Pleader

for R1 to R3 in all WP's
and for R6 in WP's 28069, 31206
to 31209, 33137 to 33142,
34577, 34975, 34976, 34978,
34980, 38563 to 38569, 38995,
38998, 39594 to 39596, 39598,
39600, 29406 to 29411 of 2016
& for R6 & 7 in WP's 30514 to
30517 of 2016 and for R7 in
WP's 30323 to 30326, 34979,
33305 of 2016

No appearance for R4 & 5 in all
WP's and for R6 in WP's 30323 to
30326, 34575, 34576, 34578,
34979, 39597, 39599, 33305 of
2016 and for R7 in WP 34577 of
2016

COMMON ORDER

The petitioners in all these writ petitions are challenging the impugned letter issued by the Secretary to Government (Expenditure), Finance (Pay Cell) Department bearing No.54826/PC-3/2016-1 dated 11.9.2015 and the consequential proceedings issued by the Commissioner/Director of Agriculture to all the Joint Directors of Agriculture in all the districts directing them to strictly adhere to the Government clarification as well as the recommendation of the Accountant General while fixing the pay of the employees who are drawing Grade Pay of Rs.6,600/- and above with a further direction that if any benefit has been extended to these employees, the amount should be recovered and remitted to Government account as well as the show cause notice(s) issued by the Joint/Deputy Director (s) of Agriculture/Horticulture of different districts calling for the explanation of the petitioners as to why the advance increment granted to them should not be cancelled and recovered. Some of the petitioners have challenged the impugned proceedings bearing No.23373/G/2011-12 issued by the Principal Secretary to Government, Personnel and Administrative Reforms (S) Department dated 9.8.2011 stating that the orders issued in the G.O.Ms.No.210, P & AR(S) Department dated 11.3.87, Letter No.32/S/1996-1 P & AR(S) Department dated 25.9.97 and Letter (Ms.)No.168, P & AR(S) Department dated 28.9.99 cannot be made applicable in the revised scales of pay implemented with effect from 1.1.2006 to the employees drawing the Grade Pay of Rs.6,600/- and above. Since the issue is common in all the writ petitions, they are taken up together and disposed of by this common order. For convenience, the facts as pleaded in W.P.No.28069 of 2016 are alone referred to in this order.

2. Mr.V.Selvaraj, learned counsel appearing for the petitioners in all the matters submitted that one of the petitioners, Mrs.G.Valarmathi was selected by the Tamil Nadu Public Service Commission for the post of Agricultural Officer and she joined duty in the said post on 15.7.85. After six months, the Government issued G.O.Ms.No.68, Personnel and Administrative Reforms (Per.M) Department dated 23.1.86 for award of Selection Grade and Special Grade scale of pay on completion of stipulated period of service. As the petitioner had completed 10 years of service, she was granted the selection grade pay on 15.7.95. Again on completion of 20 years of service, she was granted special grade pay on 15.7.2005. Thereafter, the Government issued G.O.Ms.No.234, Finance (Pay Cell) Department dated 1.6.2009 revising the scales of pay and allowances of the Government servants with notional effect from 1.1.2006 and with monetary benefit from 1.1.2007, based on the recommendation of the Official Committee. Referring to paragraph-4 of the G.O.Ms.No.234 dated 1.6.2009, the learned counsel submitted that the Government have continued the existing scheme of Selection Grade/Special Grade in the revised pay scales to employees drawing the Grade Pay from Rs.1,300 to Rs.6,000/- and such employees shall be allowed to move to Selection Grade on completion of 10 years of service in the Ordinary Grade post and to Special Grade on completion of 10 years in the Selection Grade post or 20 years of total service in a post. However, the Principal Secretary to Government, Personnel and Administrative Reforms (S) Department, the second respondent in his letter dated 9.8.2011 addressing to all the Principal Secretaries/Secretaries to Government and all other Heads of Departments, informed them that the orders issued in G.O.Ms.No.210, Personnel and Administrative Reforms (Per.S) Department dated 11.3.87 cannot be made applicable in the revised scales of pay implemented with effect from 1.1.2006 in respect of the persons whose Grade Pay is more than Rs.6,000/-. Again the very same respondent addressed another letter dated 14.5.2012 to all the Secretaries and Heads of Departments making it clear that the Government have decided to revise the instructions issued in the letter No.23373/S/2011-12 P & AR(S) Department dated 9.8.2011 extending the benefit of Selection Grade/Special Grade in the revised scale of pay to those employees who were awarded Selection Grade/Special Grade based on the orders issued in G.O.Ms.No.210, P & AR(S) Department dated 11.3.87, Letter No.32/S/1996-1 P & AR(S) Department dated 25.9.97 and Letter (Ms.)No.168, P & AR(S) Department dated 28.9.99 during the period between 1.1.2006 and 31.5.2009 and the effect of the Government Letter issued in letter No.23373/S/2011-12 P & AR(S) Department dated 9.8.2011 will be given effect from 1.6.2009 instead of 1.1.2006. Thereafter, the Government also issued G.O.Ms.No.237, Finance (Pay Cell)

Department dated 22.7.2013 granting one more additional increment. Accordingly, all the petitioners were also paid with the said increment by the orders passed by the Head of the Department(s).

3. When the matters clearly stand as above, in spite of payment of the additional increment to the petitioners, the first respondent has issued the impugned proceedings dated 11.9.2015 to the Senior Deputy Accountant General/ES-I, Office of the Principal Accountant General, Chennai stating that the employees drawing the Grade Pay of Rs.6,600/- and above will be granted one stagnation increment only on completion of 10 years of service. Pursuant to the said letter, the Commissioner/Director of Agriculture has also directed all the Joint Directors of Agriculture in all the districts to strictly adhere to the Government clarification as well as the recommendation of the Accountant General while fixing the pay of the employees who are drawing Grade Pay of Rs.6,600/- and above with a further direction that if any benefit has been extended to these employees, the amount should be recovered and remitted to Government account. In view of the said proceedings, the petitioners have been directed to submit their explanation forthwith. Therefore, the learned counsel for the petitioners submitted that the impugned orders are unsustainable in law, since they are running contrary to their own orders, more particularly, the letter of the second respondent dated 14.5.2012 extending the benefit of Selection/Special Grade in the promotion post during the period between 1.1.2006 and 31.5.2009 to the petitioners by counting the services rendered on identical/higher scale of pay in the pre-revised scale of pay. Since all the petitioners were promoted as Assistant Director(s) of Agriculture/Horticulture between the period 1.1.2006 and 31.5.2009, they were rightly granted the benefit and the officers serving in the Agricultural/Horticultural department miserably failed to place the letter dated 14.5.2012 before the Audit department, which was the basis for extending the benefit to the petitioners. In fact, the learned counsel for the petitioners also furnished three lists containing the names of the petitioners who have been granted the additional increment based on G.O.Ms.No.210 dated 11.3.87 and G.O.Ms.No.237 dated 22.7.2013 as well as the particulars about the dropping of audit objections in respect of award of selection grade to promotees between 1.1.2006 and 31.5.2009 based on the letter No.AG(E&RSA)/ES-I/ISC/1/17-18/82 dated 25.7.2017 from the office of the Accountant General, Chennai. Therefore, he pleaded that the impugned orders are liable to be interfered with.

4. Detailed counter affidavits have been filed by the respondents through vacate stay petitions. The learned Additional Advocate General for the respondents submitted that

the Government had issued G.O.Ms.No.304, Finance (Pay Cell) Department dated 28.3.90 framing the scheme of Selection Grade/Special Grade to all the employees in the categories of posts carrying the scale of pay of Rs.750-945 and above and upto the scale of pay of Rs.2500-4200 making it clear that the employees in the categories of posts above the scale of pay of Rs.2500-4200 are not entitled for the benefit of Selection Grade/Special Grade. However, subsequently, based on the recommendations of the Official Committee, 2009, the pay scale of Rs.2550-3200 and Rs.9100-14050 has been revised as Rs.4500-10000+GP 1300 and Rs.15600-39100+GP 5700 respectively with notional effect from 1.1.2006 and monetary benefit from 1.1.2007. Accordingly, G.O.Ms.No.234, Finance (PC) Department dated 1.6.2009 was issued stating that the existing scheme of Selection Grade/Special Grade shall be continued in the revised pay scales to employees drawing the Grade Pay from Rs.1,300 to Rs.6,000/- and such employees shall be allowed to move to Selection Grade on completion of 10 years of service in the Ordinary Grade post and to Special Grade on completion of 10 years in the Selection Grade post or 20 years of total service in a post. It was also made clear therein that the benefit of one increment equal to three percent of the basic pay including grade pay in the same Pay Band and Grade Pay shall be fixed on the date of award of Selection Grade/Special Grade to those employees who have moved to the Selection Grade/Special Grade on or after 1.1.2006.

5. In view of the above, several Associations have represented before the Pay Grievance Redressal Cell to revive the scheme of separate scales of pay to Selection Grade/Special Grade holders as in the previous Pay Commission periods, as there were no promotional avenues for several posts and that as the employees awarded Selection Grade/Special Grade between 1.1.2006 and 31.5.2009 alone have been given the concession to opt to come over to the revised scale of pay on the date of award of Selection Grade/Special Grade by forgoing the arrears to accrue the benefit of higher scales of pay consequent on the revision of the scales of pay to the respective Ordinary Grade post, a request was made to rectify the anomaly in the total emoluments between those awarded Selection Grade/Special Grade prior to and after 31.5.2009. The Pay Grievance Redressal Cell did not favour granting the Pay Band and Grade Pay of the promotion post for Selection Grade/Special Grade. However, the Pay Grievance Redressal Cell, considering the long standing service rendered by the employees with an intention to recognise their service properly, has recommended to grant an additional increment benefit, which is over and above the one increment already allowed, equivalent to 3%+3% of basic pay (Pay+Grade Pay) for award of Selection Grade/Special Grade in the revised scale of pay.

6. Based on the recommendation of the Pay Grievance Redressal Cell, an additional increment equivalent to 3%+3% of basic pay has been granted to the employees on award of Selection Grade/Special Grade in the revised scale of pay implemented with effect from 1.1.2006 in G.O.Ms.No.237 dated 22.7.2013. The learned Additional Advocate General also submitted that even in para 5(i) of G.O.Ms.No.234 dated 1.6.2009, it was ordered that the employees drawing Grade Pay of Rs.6,600/- and above, on completion of every 10 years of service shall be granted one increment at the rate of three percent of basic pay including grade pay. Hence, it was clarified in the Government Letter No.54826/PC-3/2015-1, Finance Department dated 11.9.2015 that the employees drawing the Grade Pay of Rs.6,600/- and above are not entitled for the benefit of Selection Grade/Special Grade and therefore they are not entitled for the additional increment of 3% of the basic pay ordered in G.O.Ms.No.237 dated 22.7.2013 as applicable for employees covered in para-4 of the G.O.Ms.No.234 dated 1.6.2009. Further, in the case of employees who have completed 30 years of continuous service in the same post, they are granted one bonus increment only at the rate of three percent of basic pay including grade pay.

7. Again referring to G.O.Ms.No.210, Personnel & Administrative Reforms (Per.S) Department dated 11.3.87, which states that the services rendered in the Selection Grade/Special Grade of the lower post shall be counted for awarding Selection Grade in the higher post, the learned Additional Advocate General submitted that in the pre-revised pay scale, the benefit for award of Selection Grade/Special Grade counting the services in the lower post was one increment only, however, the Assistant Directors are not entitled for Selection Grade/Special Grade scale of pay even in the pre-revised pay scale of Rs.10000-15200. Hence, the petitioners cannot claim the benefit of additional increment granted to Selection Grade/Special Grade holders as ordered in G.O.Ms.No.237 dated 22.7.2013. Referring to the case of Mrs.G.Valarmathi, the petitioner in W.P.No.28069 of 2016, the learned Additional Advocate General pleaded that she was promoted to the post of Assistant Director from the category of Special Grade Agricultural Officer drawing the scale of Rs.15600-39100+GP 6600 (pre-revised Rs.10000-15200). Therefore, as the petitioners are drawing the Grade Pay of Rs.6,600/- in the revised scale of pay, their claim for sanction of additional increment of 3% of basic pay applicable for Selection Grade/Special Grade, does not merit consideration, for the reason that the benefit of counting the service rendered in the lower post for computing 10 years of service in the higher post is itself a concession and double benefit cannot be granted, since the benefit of two increments is applicable to

employees who complete 10 years in the same post. Therefore, the learned Additional Advocate General pleaded that the impugned orders require no interference.

8. Heard learned counsel for the parties.

9. On the recommendations of the Sixth Central Pay Commission, the Government of Tamil Nadu constituted an Official Committee to examine and make necessary recommendations for the revision of scales of pay and allowances for the State Government employees and Teachers including employees of Local Bodies based on the decision of the Central Government and the Official Committee was also requested to examine the decision of the Government of India on the revision of pension, family pension, retirement benefits and make necessary recommendations with a further observation that while making recommendations of scales of pay, the Committee would take into account the local conditions and the relativities present. The said Official Committee also made its recommendations on the revision of scales of pay and allowances etc., and paragraphs 4 & 5 of the G.O.Ms.No.234, Finance (Pay Cell) Department dated 1.6.2009, which are relevant for the cases on hand, are reproduced hereunder:-

"4. SELECTION GRADE AND SPECIAL GRADE SCALES OF PAY:

The existing scheme of Selection Grade / Special Grade shall be continued in the revised pay scales to employees drawing the Grade Pay from Rs.1,300 to Rs.6,000/- and such employees shall be allowed to move to Selection Grade on completion of 10 years of service in the Ordinary Grade post and to Special Grade on completion of 10 years in the Selection Grade post or 20 years of total service in a post. The pay of such employees who have moved to Selection Grade / Special Grade on or after 1.1.2006 shall be fixed on the date of award of Selection Grade / Special Grade by granting the benefit of one increment equal to three per cent of the basic pay including grade pay in the same Pay Band and Grade Pay.

5. STAGNATION INCREMENT:

- (i) The employees drawing Grade Pay of Rs.6,600/- and above on completion of every 10 years of service shall be granted one increment at the rate of three per cent of basic pay including Grade Pay.

- (ii) In the case of employees who have completed 30 years of continuous service in the same post, they shall be granted one bonus increment at the rate of three per cent of basic pay including Grade Pay.
- (iii) In respect of employees who reached the maximum of the revised pay scale shall be allowed biennial increment at the rate of three per cent of basic pay including Grade Pay as stagnation increment."

10. One another letter dated 14.5.2012 issued by the Principal Secretary to Government, Personnel and Administrative Reforms (S) Department extending the benefit of Selection Grade/Special Grade in the promotion post during the period between 1.1.2006 and 31.5.2009 to the employees like the petitioners by counting the services on identical/higher scale of pay in the pre-revised scales of pay needs a reference, hence, the relevant portion thereof is reproduced hereunder:-

"5. After careful consideration, the Government have decided to revise the instructions issued in the reference fifth cited to the effect that the benefit of Selection Grade / Special Grade in the revised scale of pay is extended to those employees who were awarded Selection Grade / Special Grade based on the orders issued in references 1 to 3 cited during the period between 1.1.2006 and 31.5.2009, and that the effect of the Government Letter issued in the reference fifth cited, will be given effect from 1.6.2009 instead of 1.1.2006."

11. Though the Official Committee, 2009 has recommended to continue the existing schemes of Selection Grade/Special Grade after completion of 10/20 years of service in a post in the revised pay structure, the pay of such employees who have moved to Selection Grade/Special Grade on or after 1.1.2006 were ordered to be fixed by granting the benefit of one increment equal to 3% of the basic pay including grade pay in the same pay band and the grade pay as in Government of India. Thereafter, based on the recommendation of the One Man Commission, 2010 rectifying the anomalies in the recommendations of the Official Committee, 2009, orders were issued in G.O.(Ms) Nos.254 to 338, Finance (PC) Department dated 26.8.2010 revising the scales of pay of various posts in ordinary scales of pay departmentwise notionally with effect from 1.1.2006/12.12.2007

and with monetary benefit from 1.8.2010. After careful consideration, the Government also have decided to revise the instructions issued in the letter dated 9.8.2011 to the effect that the benefit of Selection Grade/Special Grade in the revised scales of pay is extended to those employees who were awarded Selection Grade/Special Grade based on the orders issued in G.O. (Ms) No.210, Personnel and Administrative Reforms (S) Department dated 11.3.1987, letter No.32/S/1996-1, P&AR (S) Department dated 26.9.1997 and letter (Ms) No.168, P&AR(S) Department dated 28.9.99 during the period between 1.1.2006 and 31.5.2009, making it clear that the effect of the Government Letter No.23373/S/2011-2, P&AR (S) Department dated 9.8.2011 will be given effect from 1.6.2009 instead of 1.1.2006. Since the Government letter dated 14.5.2012 was addressed to all the Secretaries and Heads of Departments making it clear that the Government have decided to revise the instructions issued in Letter No.23373/S/2011-2, P&AR (S) Department dated 9.8.2011 extending the benefit of Selection Grade/Special Grade in the revised scales of pay to all those employees who were awarded Selection Grade/Special Grade based on the G.O.(Ms) No.210, Personnel and Administrative Reforms (S) Department dated 11.3.1987, letter No.32/S/1996-1, P&AR (S) Department dated 26.9.1997 and letter (Ms) No.168, P&AR(S) Department dated 28.9.99 during the period between 1.1.2006 and 31.5.2009 to the effect that the Government Letter No.23373/S/2011-2, P&AR (S) Department dated 9.8.2011 will be given effect from 1.6.2009 instead of 1.1.2006, the petitioners have been granted 3% increment from the date of their promotion recognising them as Selection Grade Assistant Director(s) of Agriculture/Horticulture. This is for the reason that when audit objections were raised in the case of one Krishna Reddy promoted as Assistant Director of Agriculture on 1.7.2008, he was also awarded Selection Grade like the petitioners, because the audit objections raised at the time of his retirement were withdrawn, on the basis of the letter No.7296/S/2012-1 dated 14.5.2012 issued by the Principal Secretary to Government, Personnel and Administrative Reforms (S) Department indicating therein that the benefit of Selection Grade/Special Grade in the revised scale of pay is extended to those employees who were awarded Selection Grade/Special Grade based on the orders issued in G.O.(Ms) No.210, Personnel and Administrative Reforms (S) Department dated 11.3.1987, letter No.32/S/1996-1, P&AR (S) Department dated 26.9.1997 and letter (Ms) No.168, P&AR(S) Department dated 28.9.99.

12. Even G.O.Ms.No.237, Finance (Pay Cell) Department dated 22.7.2013 granting one additional increment of 3% to the employees on award of Selection Grade/Special Grade in the revised scales of pay was issued based on the same letter No.7296/S/2012-1 dated 14.5.2012 and the communication issued by the office of the Principal Accountant General (A&E), Tamil Nadu dated 17.12.2015, in respect of the revision of pension of one Krishna Reddy, states as follows:-

"The retired pensioner was awarded Selection Grade in the post of Assistant Director of Agriculture on 1.7.08. As per Govt. Letter No.7296/S/2012-1 dt.14.5.2012 Selection Grade in higher post by counting identical service can be given upto 31.5.09. Hence the award of Selection Grade by the Dept., was in order. The Rules in vogue at present does not call for any cancellation of Selection Grade and withheld from DCRG due to overpayment. The Audit Dept may be approached to dropping the para's and settle the DCRG."

13. In the cases on hand, all the petitioners, who were given promotion as Assistant Director(s) of Agriculture/Horticulture between 1.1.2006 and 31.5.2009, were given the benefit of revised scale of pay from the date of promotion giving them two increments i.e., 3% under FR 22-B and additional increment of 3% as per G.O.Ms.No.210, P&AR(S) Department dated 11.3.1987. Since the Officers of the Agriculture/Horticulture Department had not brought to the notice of the Audit Department the letter dated 14.5.2012, which extended the benefit of Selection Grade to all the petitioners who were promoted between 1.1.2006 and 31.5.2009, the impugned orders seeking recovery of 3% increment granted to the petitioners in G.O.Ms.No.210, P&AR(S) Department dated 11.3.1987 have been passed. Besides, it may be mentioned herein that the writ petitioners shown in List-I of the written submissions filed by the learned counsel for the petitioners were all granted additional increment of 3% in G.O.Ms.No.237, Finance (Pay Cell) Department dated 22.7.2013. As the grant of 3% additional increment was based on the recommendation of the Pay Grievance Redressal Cell and in the light of the proceedings dated 25.07.2017 issued by the Accountant General, Tamil Nadu, not pursuing in regard to incorrect award of Selection Grade to 30 Officers who were similarly promoted as Assistant Directors of Agriculture between 01.10.2006 and 31.05.2009, I do not find any merit in the impugned proceedings. However, with regard to the other writ petitioners shown in List-II of the written submissions filed by the learned counsel for the petitioners, as they have not been paid the 3% increment as per G.O.Ms.No.237, Finance (Pay Cell) Department dated 22.7.2013, the matter is

left open for the Government to take a final decision on the said issue, for the reason that large number of employees including the employees employed in other departments have been paid with the said 3% increment and no proceedings also were initiated for recovery of the said increment as against them.

14. For all the aforementioned reasons, the impugned proceedings are quashed and all the writ petitions shall stand allowed. Consequently, all the connected writ miscellaneous petitions shall stand closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government (Expenditure)
Finance Department
Fort St.George
Chennai 600 009
2. The Principal Secretary to Government
Personnel and Administrative
Reforms (S) Department
Fort St. George
Chennai 600 009
3. The Commissioner/Director of Agriculture
Chepauk
Chennai 600 005
4. The Senior Deputy Accountant General/FS1
Office of the Accountant General
Economic and Revenue Sector Audit
Lekha Pariksha Bhavan
361, Anna Salai
Chennai 600 080
5. The Deputy Accountant General/ES1
Office of the Accountant General
Economic and Revenue Sector Audit
Lekha Pariksha Bhavan
361, Anna Salai
Chennai 600 080

6. The Joint Director of Agriculture
Namakkal, Namakkal District
7. The Senior Accounts Officer,
O/o the Accountant General (A & E)
Tamil Nadu 361, Anna Salai, Chennai 18
8. Agriculture Production
Commissioner & Secretary to Government
Agriculture (AFI) Department, Fort St.
George, Chennai-9
9. Joint Director of Agriculture, Villupuram
10. Joint Director of Agriculture, Dharmapuri
11. The Director of Horticulture, Chempauk, Chennai -5
12. The Deputy Director of Horticulture, Sivagangai
13. The Deputy of Horticulture, Erode
14. Joint Director of Agriculture, Thanjavur
15. Joint Director of Agriculture, Krishnagiri
16. Joint Director of Agriculture, Thiruvannamalai
17. The Joint Director of Agriculture, Erode
18. The Director of seed certification and organic
certification, Coimbatore
19. Pay & Accounts Officer (East)
Office of the Accountant General Economic
and Revenue Section Audit, Lekha Pariksha
Bhavan, 361, Anna Salai, Chennai-600 018
20. The Deputy Director of Horticulture, Karur
21. The Deputy Director of Horticulture, Coimbatore
22. The Commissioner Agriculture,
Sales and Marketing,
SIPCOT Road, Guindy, Chennai 32
23. The Joint Director of Horticulture, Madhavaram,
Chennai 51

- 24.The Deputy Director of Horticulture, Madurai
- 25.The Joint Director of Agriculture, Thiruvarur
- 26.The Joint Director of Agriculture, Salem
- 27.The Joint Director of Tirunelveli, Tirunelveli
- 28.The Joint Director of Agriculture,
Ramanathapuram
- 29.The Joint Director of Agriculture,
Kancheepuram.
- 30.The Deputy Director of Horticulture,
Cuddalore
- 31.The Deputy Director of Horticulture
Tuticorin
- 32.The Deputy Director of Horticulture,
SAlem
- 33.The Agriculture Production,
Represented by Commissioner and Secretary to Government,
Agricultural Department,
Fort st. George, Chennai 9.
- 34.The Joint Director of Agriculture, Coimbatore.
- 35.The Deputy Director of Horticulture, Dharmapuri.
- 36.The Joint Director of Horticulture,
Thiruvallur
- 37.The Deputy Director of Horticulture,
Thiruvallur.

+1cc to the Government Pleader SR.NO.54284
+1cc to Mr.V.Selvaraj, Advocate SR.NO.53295

NM(CO)
sm:23.10.2018

order in
W.P.Nos.28069 of 2016 etc.