

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.11.2018

CORAM
THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.29887 of 2018

M.S.Muthu

... Petitioner

Vs

1.The Director of Agriculture
Agriculture Department, Chempauk
Chennai-5.

2.The Joint Director of Agriculture
Thoothukudi.

... Respondents

For Petitioner : Mr.D.Velmurugan

For Respondents : Mr.A.N.Thambidurai
Additional Government Pleader

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent to pass orders on the proposal submitted by the second respondent in his proceedings Lr.No.N7/2041/2012(2) dated 04.04.2018 with regard to retrospective regularisation of his services as Depot Manager Grade III with effect from 01.10.1998.

O R D E R

This writ petition has been filed, seeking direction to the first respondent to pass orders on the proposal submitted by the second respondent with reference to the retrospective regularisation of the services of the petitioner as Depot Manager Grade III with effect from 01.10.1998 within the time frame to be fixed by this Court.

2. The case of the petitioner is that he is entitled to regularisation from 01.10.1998. The Joint Director of Agriculture, Thoothukudi has passed the order of regularisation to Grade III with effect from 01.10.2001, whereas the claim is that the petitioner is eligible for regularisation with effect from 01.01.1998. Because of the loss of three years, the batch mates of the petitioner got promoted to the next grade but the petitioner's promotion is kept pending. Apart from that, the other service benefits are also not extended to the petitioner. The petitioner submitted a representation to the second respondent dated 03.10.2017 in this regard and the second

respondent has considered the representation and submitted a proposal on 04.04.2018 to the first respondent. As the first respondent did not consider the proposal submitted by the second respondent, this writ petition has been filed, seeking direction to the first respondent to consider the proposal submitted by the second respondent.

2. Mr.A.N.Thambidurai, learned Additional Government Pleader takes notice for the respondents. Heard the learned counsel appearing on either side and perused the materials available on record.

3. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the first respondent to consider the proposal sent by the second respondent with respect to the retrospective regularisation of the petitioner, and to pass orders on the same within a particular time frame.

5. In the above circumstances, this writ petition is disposed of directing the 1st respondent to consider the proposal of the second respondent dated 04.04.2018 and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kst

To

1.The Director of Agriculture
Agriculture Department, Chepauk
Chennai-5.

2.The Joint Director of Agriculture
Thoothukudi.

+1cc to Mr.G.Bala and Daisy, Advocate, S.R.No.81452
+1cc to the Government Pleader, S.R.No.81746

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RV(CO)

rrs 26/12/2018