

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.33451 of 2018

K.Sivakandan

....

Petitioner

Vs

1.The Principal Secretary to Government,
Department of Agriculture
Fort St.George,Secretariat,
Chennai 600 009.

2.The Commissioner
Department of Agriculture
Chepauk, Chennai 600 005.

3.The Joint Director, Department
of Agriculture, Dindigul - 624 005.

4.The Assistant Director, Department of
Agriculture, Aathur, Dindigul - 624 005.

....

Respondents

For Petitioner :M/s.U.Karunakaran

For Respondent :Mr.A.N.Thambidurai,Special Govt.Pleader

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first and second respondents to pass orders on the representation dated 11.08.2018 and promote the petitioner to the post of Agricultural Officer from the post of Assistant Seed Officer by recruitment by transfer.

O R D E R

The petitioner was appointed as Assistant Agricultural Officer in the year 1990 and presently working as Assistant Seed Officer at Dindigul from 2016 and has completed 28 years of service in the Department of Agriculture. The petitioner submits that so as to provide the opportunity to the existing employees to be appointed as Agricultural Officer, the Department of Agriculture, Government of Tamil Nadu has issued G.O.Ms.No.207 dated 15.05.1996, amended the Tamil Nadu Agricultural (Extension) Service with regard to the appointment by transfer from qualified Seed Officer / Agricultural Officer /

Deputy Agricultural Officer as Agricultural Officer, who had acquired degree while in service. The petitioner submit that as per the amended rule, the Assistant Agricultural Officer / Assistant Seed Officer, who had acquired B.Sc (Agriculture) degree are eligible to be appointed by recruitment by transfer at the ratio of 9:1.

2. Learned counsel for the petitioner submits that the petitioner had completed B.F.Tech Course in Agricultural University through Open and Distance Education, after obtaining permission from the department and degree certificate on 02.07.2018.

3. After acquiring the B.F.Tech Degree course certificate, the petitioner submitted a representation dated 11.08.2018 and 20.08.2018 through proper channel to the first and second respondent respectively, who are the competent authorities to accord promotion as per the above rules. The grievance of the petitioner is that even though the petitioner served as Assistant Seed Officer, without getting a single promotion for the past 28 years, his representation after acquiring the requisite degree has not been considered by the respondents in order to get promoted to the post of Agricultural Officer. Hence, the petitioner has filed the present writ petition seeking appropriate relief.

4. Mr.A.N.Thambidurai, learned Special Government Pleader takes notice on behalf of the respondents and submits that representation of the petitioner would be considered and appropriate orders would be passed, if he is found otherwise found eligible.

5. Under the circumstances, the respondents are directed to consider the representation dated 11.08.2018 submitted by the petitioner, in accordance with law, and pass orders thereon, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

kst

To

- 1.The Principal Secretary to Government,
Department of Agriculture
Fort St.George,Secretariat,
Chennai 600 009.
- 2.The Commissioner
Department of Agriculture
Chepauk, Chennai 600 005.
- 3.The Joint Director, Department
of Agriculture, Dindigul - 624 005.
- 4.The Assistant Director, Department of
Agriculture, Aathur, Dindigul - 624 005.

W.P.No.33451 of 2018

cnr(co)
nr 22/01/2019