



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Seventh day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

WP(MD) Nos.3639 and 5208 of 2018

and

WMP(MD) Nos. 17807,3760,5194,5195 and 7250 of 2018

WP(MD)No.3639 of 2018

K.REVATHI

... PETITIONER

Vs

1 THE AGRICULTURE PRODUCITON COMMISSIONER AND
PRINCIPAL SECRETARY TO GOVERNMENT,
AGRICULTURAL DEPARTMENT,
SECRETARIAT, CHENNAI - 600 009.

2 THE DIRECTOR OF HORTICULTURE AND PLANTATION CROPS,
CHEPAUK, CHENNAI - 600 005.

3 N.RAJAKUMAR

4 L.HEDDIBAI

5 M.RAJENDRAN

6 P.PREMAVATHY

7 B.ELANGO VAN

8 R.RAVICHANDRAN

9 PL.ARUMUGAM

10 A.MARIMUTHU

11 D.SUSEELA

12 T.HEMA

13 H.S.SIDDAGANGAIAN

14 N.PARVATHAMMA

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings of the 2nd respondent in Lr.No. GES4/10518/2016 dated 07.11.2017 quash the same and consequently direct the respondents herein to finalise and publish the seniority list to the post of Assistant Directors of Horticulture in the Horticulture Department including the name of petitioner in the panel as per the date of her appointment and as per the seniority published by the Tamil Nadu Public Service Commission for the next



promotional post of Deputy Director of Horticulture under the Special Rules of Tamil Nadu Horticulture Service Rules.

Prayer in WMP(MD) . 3760/ 2018 IN WP(MD) No. 3639 of 2018 :

To grant an order of Interim injunction restraining the respondents herein from in any way effecting or implementing the impugned panel prepared by the 2nd respondent pursuant to the impugned proceedings of the 2nd respondent in Lr.No. GES4/10518/2016 dated 07.11.2017 pending disposal of the above Writ petition.

WP(MD)No.5208 of 2018

K.REVATHI

... PETITIONER

Vs

1 THE AGRICULTURE PRODUCITON COMMISSIONER AND
PRINCIPAL SECRETARY TO GOVERNMENT,
AGRICULTURAL DEPARTMENT,
SECRETARIAT, CHENNAI - 600 009.

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8 A.MARIMUTHU

9 D.SUSEELA

... RESPONDENTS

Prayer in WP(MD) . 5208/ 2018 :

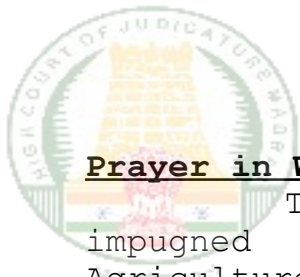
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned order of the first respondent in G.O.Ms.51 Agriculture (AA1) dated 28.02.2018 and quash the same and consequently direct the respondents 1 and 2 to promote the petitioner as Deputy Director of Horticulture from the date of promotion of Juniors to the petitioner.

Prayer in WMP(MD) . 17807/ 2018 IN WP(MD) No. 5208 of 2018:

pleased to vacate the interim stay order dated 12.03.2018 granted by this Honourable court in WMP(MD)NO.5195 of 2018 in WP(MD) NO.5208 of 2018

Prayer in WMP(MD) . 5194/ 2018 IN WP(MD) No. 5208 of 2018:

To dispense with production of the certified copy of impugned order issued by the first respondent in G.O.Ms.51 Agriculture (AA1) dated 28.02.2018 for the present.



Prayer in WMP(MD). 5195/ 2018 IN WP(MD) No. 5208 of 2018 :

To grant an order of interim stay of operation of the impugned order issued by the first respondent in G.O.Ms.51 Agriculture (AA1) dated 28.02.2018 pending disposal of the above writ petition.

Prayer in WMP(MD). 7250/ 2018 IN WP(MD) No. 5208 of 2018:

To vacate the order of Interim stay dated 12.03.2018 in WMP (MD) No.5195 of 2018 in Writ Petition (MD) No.5208 of 2018 and dismiss the Writ Petition as well as the miscellaneous petitions with costs and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.VEERAKATHIRAVAN for M/S.VEERA ASSOCIATES, Advocate for the petitioner and of MR.K.MU MUTHU, Additional Government Pleader for R1 & R2 in both the petitions, MR.E.V.N SIVA, Advocate for R3 in both petitions and R9 IN WP(MD) No. 3639 of 2018 and R7 IN WP(MD)No.5208 of 2018 and MR.N.DILIPKUMAR for R4 in both petitions and R10 & R11 IN WP(MD) No. 3639 of 2018 and R8 & R9 IN WP (MD)No.5208 of 2018, the court made the following order:-

It is represented by all the parties viz., the petitioner, contesting respondents including the vacate stay petitioner that similar writ petitions in W.P(MD)No.20661 of 2018 is pending before the Principal Bench of this Court.

2. Therefore, Registry is directed to place all these matters before the Hon'ble The Chief Justice and obtain necessary orders either to list all the matters before the Principal Bench or Madurai Bench of Madras High Court.

3. In the meanwhile, this Court makes it very clear that in case the vacate stay petitioner succeeds, the respondents cannot deprive him the monetary benefits on the ground that he has not been functioned in the promotional post, if he is otherwise eligible.

sd/-
27/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE AGRICULTURE PRODUCITON COMMISSIONER AND
PRINCIPAL SECRETARY TO GOVERNMENT,
AGRICULTURAL DEPARTMENT, SECRETARIAT,
CHENNAI - 600 009.



2 THE DIRECTOR OF HORTICULTURE
AND PLANTATION CROPS, CHEPAUK, CHENNAI - 600 005.

COPY TO:- THE SECTION OFFICER,
WRIT SECTION,
MADURAI BENCH OF MADRAS HIGH COURT.
MADURAI.

+1. C.C. to M/S.VEERA ASSOCIATES Advocate SR.No.18429

ORDER
IN
WP(MD) Nos.3639 and 5208 of 2018
and
WMP(MD) Nos. 17807,3760,5194,5195
and 7250 of 2018
Date :27/09/2018

MSI/JC/SAR-III/30.10.2018-4P/5C