

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.09.2019

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.NO.14313 OF 2010

C.Vinayagamoorthy

...Petitioner

..Vs..

1. The Secretary,  
Department of Agriculture,  
Government of Tamil Nadu,  
St.George Fort, Secretariat,  
Chennai - 09.
2. Tamil Nadu Agro Industries  
Development Corporation Ltd.,  
Rep by its Managing Director,  
Agro House, Thiru.Vi.Ka.Industrial Estate,  
Guindy, Chennai - 32. ....Respondents

Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the proceedings of the second respondent in Letter No.TNAIDC/102/CSS/2003 dated 08.04.2010 and quash the same.

For Petitioner : Mr.R.Karthikeyan

For Respondent : Mr.M.Elumalai, GA (for R.1)  
Mr.C.Venkatesulu (for R.2)

ORDER

The order dated 08.04.2010, rejecting the claim of the writ petitioner to provide alternate employment, on account of the fact that, he was retrenched from service is under challenge in the present writ petition.

2.The learned counsel appearing on behalf of the petitioner states that admittedly the writ petitioner was retrenched from service and the Tamil Nadu Agro Industries Development Corporation Lintied itself was closed. However, the employees who served in the Tamil Nadu Agro Industries Development

Corporation Limited may be considered for absorption in Agriculture Department, if a scheme is formulated or if any opportunity arises.

3.The learned counsel appearing on behalf of the respondents states that the retrenchment has become final and all the benefits due to the employees were settled. The writ petitioner had also received all the settlements long back and therefore, there is no possibility of any further absorption in any other Department.

4.The learned counsel appearing on behalf of the petitioner states that in such circumstances in many other Departments, the employees were absorbed, in other Departments on account of the retrenchment, if a policy or scheme is framed in this regard by the Government, then the case of the writ petitioner may be considered. It is needless to state that if the Government takes a decision for absorption then the case of the writ petitioner also may be considered along with all other candidates. In the event of no policy comes up, the petitioner cannot claim any absorption as a matter of legal right.

5.Thus, the relief as such sought for in the writ petition cannot be granted. Accordingly, the writ petition stands dismissed. No costs.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mrm

To

1. The Secretary,  
Department of Agriculture, Government of Tamil Nadu,  
St.George Fort, Secretariat, Chennai - 09.

2. Tamil Nadu Agro Industries  
Development Corporation Ltd., Rep by its Managing Director,  
Agro House, Thiru.Vi.Ka.Industrial Estate,  
Guindy, Chennai - 32.

+1cc to Mr.C.Venkatesulu, Advocate, S.R.No.79146

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PPA (CO)  
CS/30/10/2019