



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD)No.1902 of 2014

and

M.P. (MD)Nos.1 and 2 of 2014, 1 of 2015

and

W.M.P. (MD)No.17472 of 2016

V.R.Jeya Krishna

... Petitioner

-Vs-

1.The Government of Tamil Nadu,
represented by the Secretary,
Personal & Administration
Reforms (P) Department,
Fort St.George, Chennai.

2.The Director of Agriculture,
Office of the Director of Agriculture,
Ezhilagam, Chennai-05.

3.The Additional Director of Agriculture,
(Personal Administration),
Office of the Director of Agriculture,
Ezhilagam, Chennai - 05.

4.The Joint Director of Agriculture,
Office of the Joint Director of Agriculture,
Ramanathapuram District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari Mandamus, to call for the records pertaining to the impugned order in No. AAH. PA. PI1/75508/ 2013 dated 06.11.2013 on the file of the Respondent No. 2 and quash the same as illegal and consequently, to direct the Respondent No. 2 to include the petitioner in the panel for promotion to the post of Assistant, since the petitioner has already completed all the departmental tests and is well within the seniority.

For Petitioner

: Mr.T.Lajapathi Roy



For R1

: Mr.M.Jeyakumar
Additional Government Pleader

ORDER

The impugned order, dated 06.11.2013, is under challenge in the present writ petition.

2.The grievance of the writ petitioner is that he was not promoted to the post of Office Assistant, despite the fact that he was fully qualified during the relevant point of time.

3.The learned Additional Government Pleader appearing on behalf of the respondents made a submission that the writ petitioner was not qualified at the time, when the promotional panel was prepared. He was not possessing the requisite qualification of computer course and therefore, he was not considered for promotion. However, even at the time of filing of this writ petition, the petitioner was aged about 55 years and he had already reached the age of superannuation and retired from service.

4.In view of the fact that the writ petitioner was not qualified during the period, when the promotional panel was prepared. The case of the writ petitioner cannot be considered by this Court in this writ petition. However, if the petitioner is having any other grievance on account of subsequent developments, he is at liberty to redress the same in the manner known to law.

5.With these observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Secretary,
The Government of Tamil Nadu,
Personal & Administration
Reforms (P) Department,
Fort St.George, Chennai.



2.The Director of Agriculture,
Office of the Director of Agriculture,
Ezhilagam, Chennai-05.

3.The Additional Director of Agriculture,
(Personal Administration),
Office of the Director of Agriculture,
Ezhilagam, Chennai - 05.

4.The Joint Director of Agriculture,
Office of the Joint Director of Agriculture,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-82209[F] dated 19/08/2019)

+1 CC to M/s.T.LAJAPATHIROY, Advocate (SR-82398[F] dated
20/08/2019)

CMR

W.P. (MD)No.1902 of 2014
16.08.2019

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