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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **18.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD)No.18491 of 2015
and
M.P.(MD).No.2 of 2015
and
W.M.P.(MD).No.2125 of 2016

1.N.Palanivel
2.L.Adaikalasamy
3.M.Sundher Kumar
4.N.Baskar
5.K.Thirumurugan
6.V.Balakrishnan
7.S.Muthiya
8.E.Sudhakar
9.M.S.Ravichandran
10.R.Sambath
11.L.Maghendiran
12.P.Azagesan
13.A.Sivapathi
14.R.Kamalakannan
15.R.Senthilkumar
16.C.Saravanan
17.S.Ravi
18.M.Kamalakannan
19.P.Gopalakrishnan
20.E.Tamilmani
21.S.Selvakumar ... Petitioners

Vs.

1.The State of Tamil Nadu,
represented by
The Secretary to Government,
Department of Agriculture,
Secretariat, Chennai-600 009.

2.The Director of Agriculture,
Chepauk, Chennai-600 005.

3.The Joint Director of Agriculture,
Mannapuram, Trichy-620 020.

4.The Joint Director of Agriculture,
Kattuthottam, Thanjavur-613 501.

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5.The Joint Director of Agriculture,
Gunduisalai Road,
Semandaram, Cuddalore.

6.The Joint Director of Agriculture,
Cherry Road,
Salem-636 001.

7.The Joint Director of Agriculture,
Sir.C.V.Raman Street,
Rajaipuram, Thiruvallur.

8.A.Musthaba ... Respondents
(Respondent No.8 impleaded as per order of this Court dated 05.11.2019 made in W.M.P.(MD).No.19930 of 2019 in W.P.(MD).No.18491 of 2015)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to accommodate all the petitioners in the post of Watchman or Night Watchman in the Department under the control of the respondents 1 and 2 with effect from the date of completion of 10 years of service with all monetary and service benefits as then in the case of similarly placed candidates of the same department by way of G.O.(2D).No.85, Agriculture Department, dated 15.06.2013.

For Petitioners : Mr.D.Selvanayagam
For R-1 to R-7 : Mr.M.Jeyakumar
Additional Government Pleader
For R-8 : Mr.B.Satheesh Kumar

O R D E R

Though this Writ Petition is filed for issuance of a positive direction to the respondents 1 to 7 to accommodate all the petitioners to the post of Watchman or Night Watchman in the Department under the control of the respondents 1 and 2, the learned counsel appearing for the petitioners states that the petitioners would be satisfied, if a direction is issued to the official respondents to consider the petitioners' representation in the light of the earlier G.O.MS.(2d).No.85, Agriculture Department, dated 15.06.2013 and G.O.Ms.No.56, Agriculture Department, dated 28.03.2018.

2. Heard the learned counsel on either side.

3. In view of the limited prayer that is sought for by the petitioners' counsel, without expressing any opinion on the merits

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of the petitioners' contentions, this Court is inclined to pass the following direction:

> *"The respondents 1 to 8 are directed to consider the petitioners' representation dated 22.06.2015 in the light of the G.O.MS.(2d).No.85, Agriculture Department, dated 15.06.2013 and G.O.Ms.No.56, Agriculture Department, dated 28.03.2018, issued by the first respondent and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."*

4. It is always open to the petitioners to submit a fresh representation in view of the recent G.O.Ms.No.56, Agriculture Department, dated 28.03.2018, along with the necessary documents.

5. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Tsg

To

1.The Secretary to Government,
Department of Agriculture,
Secretariat, Chennai-600 009.

2.The Director of Agriculture,
Chepauk, Chennai-600 005.

3.The Joint Director of Agriculture,
Mannapuram, Trichy-620 020.

4.The Joint Director of Agriculture,
Kattuthottam, Thanjavur-613 501.

5.The Joint Director of Agriculture,
Gunduisalai Road,
Semandaram, Cuddalore.

6.The Joint Director of Agriculture,
Cherry Road, Salem-636 001.

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7.The Joint Director of Agriculture,
Sir.C.V.Raman Street,
Rajaipuram, Thiruvallur.

+1 CC to Mr.D.SELVANAYAGAM, Advocate (SR-99500[F] dated 19/11/2019)
+1 CC to spl.GP (SR-99537[F] dated 19/11/2019)

Order made in
W.P.(MD)No.18491 of 2015
Dated: **18.11.2019**

MK (06.12.2019) 4P 10C

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