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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2021

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.34326 OF 2015

K.Harikrishnan

... Petitioner

Vs

1. The Agricultural Production
Commissioner and the Secretary to Government,
Agriculture (Ve.Nee.5) Department,
Fort St. George, Chennai-600 009.

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

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to (i) G.O.(3D) No.194, Agriculture (Ve.Nee.5) Department dated 04.08.2008 (ii) G.O.(3D) No.138, Agriculture (Ve.Nee.5) Department dated 17.04.2015 issued by the Agriculture Production Commissioner and the Secretary to Government, Chennai-9, the first respondent herein, quash the same and direct the respondents herein to disburse all the consequential attendant service benefits such as Regular Promotions to the post of Assistant Director of Agriculture, Deputy Director of Agriculture on par with his immediate Junior and disburse all the monetary benefits accrued thereon within a short date that may be fixed by this Court.

For Petitioner : Mr.K.Rajkumar

For Respondents : Mr.S.John J.Raja Singh
Government Advocate

O R D E R

The petitioner wishes to withdraw this writ petition and has filed a memo dated 10.08.2021 wherein at paragraphs-2, 3 and 5, they state as follows:

'2) Pending the Writ Petition the Department has granted certain benefits notwithstanding the penalty and the pendency of the Writ Petition. However the



Special grade due to the petitioner with effect from the date of its due has not been disbursed so far due to the pendency of the Writ Petition in the post of Agricultural Officer.

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3) When the petitioner approached the Department, it has been suggested for the closure of the Writ Petition either by Withdrawing or Not Pressing the Writ Petition so as to process the relief of grant of special grade in the post of Agricultural Officer with effect from the date of its due. Hence it has been necessitated for the petitioner to get appropriate orders from this Hon'ble Court either to Withdraw or Not Pressing the Writ Petition, by way of filing this memo through the Counsel on Record.

4)

5) In the foregoing circumstances the petitioner humbly prays that this Hon'ble Court may be pleased to record the contents of the letter given by the petitioner and pass appropriate orders by stating that the petitioner is Not Pressing the Writ Petition so as to get the relief from the Department as advised by the Department without prejudice to any of his rights and thus render justice.'

2.Mr.S.John J.Raja Singh, learned Government Advocate appearing for the respondents would clarify that the closure of the writ petition would only entail the petitioner to a consideration of the request for Special Grade Pay in the post of Agricultural Officer as appropriate.

3.This is recorded and this writ petition is dismissed as withdrawn. Let the request of the petitioner be considered and decided expeditiously, in any event, within a period of four weeks from today. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vs



To

1. The Agricultural Production
Commissioner and the Secretary to Government,
Agriculture (Ve.Nee.5) Department,
Fort St. George, Chennai-600 009.
2. The Director of Agriculture,
Chepauk, Chennai-600 005.

+1cc to the Government Pleader, S.R.No.47530

+1cc to Mr.K.Rajkumar, Advocate, S.R.No.47112

W.P.No.34326 of 2015

SR II (CO)
PM/06/10/2021