



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.08.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. No. 18101 of 2020

(Through Video Conferencing)

R.Chandrasekaran

... Petitioner

vs

1.State of Tamil Nadu, rep.by its
Secretary-cum-Agricultural Production Commissioner,
The Secretariat, Chepauk, Chennai 600 005.

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

3.The Director of Marketing,
Department of Agriculture,
Chennai 600 032.

4.The Accountant General (A & E)
No.361, Anna Salai, Teynampet,
Chennai 600 018.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent to grant approval and/or ratify the proceedings dated 17.12.2018 vide SeMu.AA.No.VAP/1/34951/15 of the 2nd respondent finalising the revised pay scale of the petitioner w.e.f. 31.12.2010 as regards his pay anomaly, increment and so on besides directing the 3rd and 4th respondents to release the arrears of revised pay payable to the petitioner as well as fix the revised pension pay of the petitioner within time frame.

For Petitioner	:	Mr.K.Ravi Anantha Padmanaban
For Respondents	:	Mr.L.S.M.Hasan Fizal Government Advocate.



ORDER

By an order dated 17.12.2018, bearing Reference No.nt/mgl/34951/15 the 2nd respondent has already recommended for removal of Pay anomaly arising out of direct promotion to the petitioner for the post of Deputy Agriculture Officer while by-passing the intermediate stage promotion to the post of Assistant Seed Officer. Direct promotion given earlier resulted in a pay anomaly because the petitioner 's immediate junior ended up getting a pay of Rs.22,700/- as on 01.01.2010 whereas the petitioner was getting only a pay of Rs.20,260/-.

2. Earlier by an order dated 10.08.2021 in W.P.No.13001 of 2020 V.Subburaj vs. The State of Tamil Nadu, Rep.by its Secretary-cum-Agricultural Production Commissioner, The Secretariat, Chepauk, Chennai 5, the writ petition was disposed by directing the respondent Nos.2 & 3 to send a proposal to the 1st respondent for effecting changes in the pay of the petitioner. It was to be implemented by the 2nd and 3rd respondents within a period of four weeks from the date of the said order. The 1st respondent/and the Government further directed to pass appropriate orders within a period of 60 days and thereafter the 4th respondent was required to implement it without any delay.

3. The aforesaid direction squarely applies to the facts of the present case. Under these circumstances, the writ petition stands allowed by directing the first respondent to implement the recommendation of the 2nd respondent dated 17.12.2018 bearing Reference No.nt/mgl/34951/15 within a period of eight weeks from the date of receipt of a copy of this order.

4. The writ petition stands allowed with the above direction. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kkd

To:

- 1.The Secretary-cum-Agricultural Production Commissioner,
The Secretariat, Chepauk, Chennai 600 005.
- 2.The Director of Agriculture,
Chepauk, Chennai 600 005.



3.The Director of Marketing,
Department of Agriculture,
Chennai 600 032.

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4.The Accountant General (A & E)
No.361, Anna Salai, Teynampet,
Chennai 600 018.

+lcc to Mr.K.Ravi Anantha Padmanaban, Advocate, S.R.No.42501
+lcc to the Government Pleader, S.R.No.43004

W.P.No.18101 of 2020

GSM(CO)
CT(16/09/2021)