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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.22717 of 2021

(Through Video Conferencing)

N.Sagadevan

... Petitioner

Vs

- 1.State of Tamil Nadu,
Represented 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 (Accounts & Entitlement),
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 directing the second respondent to send the revised pension proposal of the petitioner to the first respondent as even affirmed in proceedings dated 20.08.2018 of the Joint Director, Villupuram vide Se.Mu.Order.No.A6/3710/2015 for granting approval for payment of revised pension pay with arrears in that behalf with effect from 01.01.2010 on par with his junior Mr.P.T.Manimaran, Deputy Agricultural Officer (Retired) besides directing the third and fourth respondents to release the revised pension pay with arrears to the petitioner.

For Petitioner	:	Mr.K.Ravi Anantha Padmanaban
For Respondents	:	
For R1 to R3	:	Mr.L.S.M.Hasan Fizal
		Government Advocate
For R4	:	Mr.Vijay Shankar



ORDER

Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the first to third respondents and Mr.Vijay Shankar, learned counsel takes notice on behalf of the fourth respondent.

2. The learned Government Advocate for the first to third respondents submits that the issue is now covered by an order of this Court dated 24.08.2021 passed in W.P.No.18101 of 2020. The operative portion from the said order reads as under:-

"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/mg1/34951/15 within a period of eight weeks from the date of receipt of a copy of this order."

3. The second respondent shall send the revised pension proposal of the petitioner to the first respondent for grant of approval for payment of revised pension pay with arrears in that behalf with effect from 01.01.2010 on par with the petitioner's junior Mr.P.T.Manimaran, Deputy Agricultural Officer (Retired) within a period of two weeks from the date of receipt of a copy of this order. The first respondent shall thereafter pass appropriate orders within a period of four weeks. The third and fourth respondents are directed to release the revised pension pay with arrears to the petitioner within a period of four weeks thereafter.



4. This writ petition stands disposed of with the above observations. No costs.

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Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

arb

To

1.The Secretary-cum-Agricultural
Production Commissioner,
Government of Tamil Nadu,
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 (Accounts & Entitlement),
No.361, Anna Salai,
Teynampet, Chennai - 600 018.

+1cc to Mr.K.Ravi Anantha Padmanaban, Advocate SR. No.54711
+1cc to Government Pleader SR. No.55372

W.P.No.22717 of 2021

PMK (CO)
PR (13/12/2021)