



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.468 of 2021

and

W.M.P. (MD) .Nos.399 & 400 of 2021

WEB COPY

V.Balamurugan,
Teaching Assistant
Agricultural College & Research Institute,
Madurai, Madurai District.

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by it's Principal Secretary to Government/
Agricultural Production Commissioner,
Agriculture (AU) Department,
Secretariat, Chennai.

2.The Registrar,
Tamil Nadu Agricultural University,
Coimbatore.

3.The Vice Chancellor,
Tamil Nadu Agricultural University,
Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned order passed by the 1st respondent in his proceedings in Letter No.2520/AU/2020-8, dated 22.12.2020 and quash the same as illegal.

For Petitioner : Mr.Lingadurai
for Mr.B.Anandan

For Respondents : Mr.A.Muthukaruppan for R1
Additional Government Pleader

O R D E R

Heard Mr.Lingadurai, learned counsel, who represents Mr.B.Anandan, learned counsel for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the first respondent.

2.The impugned order is a communication between the Agricultural Production Commissioner and Principal Secretary to Government, the Vice Chancellor, Tamil Nadu Agricultural



University, Coimbatore, wherein, the Government had sought for certain proposals from the Vice Chancellor. The copy of such letter was marked only to the Registrar of the Tamil Nadu Agricultural University.

3. It is not stated in the affidavit as to how the petitioner herein has received a copy of such inter-departmental communication, neither is a copy marked to them.

4. The prayer in the writ petition itself is premature, since no cause of action has arisen and the only request made by the Government to the Vice Chancellor, through the impugned communication, is calling for certain proposals with regard to surplus teaching staffs of the University, for the purpose of accommodating them temporarily on deputation basis. Unless and until the proposals are received and a final decision is taken in the matter, the petitioner will not be entitled to challenge such a inter-departmental communication.

5. Apparently, the impugned communication itself has been obtained unlawfully by the petitioner and this Court does not appreciate such a conduct of the petitioner.

6. In the result, this writ petition is dismissed and the petitioner herein is directed to pay costs of Rs.10,000/- (Rupees Ten Thousand) to the Hon'ble Chief Justice Relief Fund, Madras High Court. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

CP

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Principal Secretary to Government/
Agricultural Production Commissioner,
Agriculture (AU) Department,
Secretariat, Chennai.

2.The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai

3.The Registrar Judicial,
High Court, Madras.

4.The Section Officer,
Accounts Section,
High Court, Madras.

+1 CC to SGP (SR-4117[F] dated 09/02/2021)

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