



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.795 of 2021

and W.M.P. (MD).Nos.654 & 657 of 2021

WEB COPY

- 1.Syed Abul Hassan Hussainy
- 2.Dr.V.Nirubana
- 3.Dr.M.Anbarasu
- 4.M.P.Bharath

...Petitioners

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 Petitioners : Mr.M.Mohamed Imran for
Mr.B.Anandan

For Respondents : Mr.M.Muniyasamy for R1
Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Heard Mr.M.Mohamed Imran, learned counsel, who represents Mr.B.Anandan, learned counsel for the petitioner and Mr.M.Muniyasamy, learned Additional Government Pleader appearing for the first respondent.



3.The impugned order is a communication between the Agricultural Production Commissioner and Principal Secretary to Government to 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.

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

5.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 petitioners will not be entitled to challenge such a inter-departmental communication.

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

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

The State of Tamil Nadu,
Principal Secretary to Government/
Agricultural Production Commissioner,
Agriculture (AU) Department,
Secretariat, Chennai.

Copy to

- 1.The Registrar(Judicial)
Madurai Bench of Madras High Court,
Madurai.
- 2.The Section Officer, Account Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-1584[F] dated
21/01/2021)

W.P. (MD) No.795 of 2021
20.01.2021

VB (04.02.2021) 3P 5C