



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.17299 of 2021

C.Natarajan

... Petitioner

**vs.**

1.The Agricultural Production Commissioner and Principal  
Secretary to Government,  
Department of Agriculture, Secretariat,  
Chennai - 600 009.

2.The Accountant General (Accounts & Entitlement),  
No.361, Anna Salai,  
Teynampet,  
Chennai - 600 018.

3.The Director of Agriculture,  
Ezhilagam,  
Chepauk,  
Chennai - 600 005.

4.The Joint Director of Agriculture,  
Melakanmoi Street,  
Tallakulam,  
Madurai - 625 002.

... Respondents

**PRAYER:** Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent i.e., the Director of Agriculture, Chennai who has refixed the petitioner's pay in his letter செ.மு.ஆ.எண்.வேஅய/132189/2015-1 நாள் : 30.04.2018 to get the ratification order of the Government as per Accountant General, Chennai's Letter No. P07 /6/10720585/ ADK/96 dated 08.01.2019 and to send revised pension proposals within a specified time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Visvalingam  
For Respondents : Mr.S.Shanmugavel,  
Standing Counsel for State

### **O R D E R**

This Writ Petition has been filed, praying for the issuance of a Writ of Mandamus, to direct the third respondent i.e., the Director of Agriculture, Chennai who has refixed the petitioner's pay in his letter செ.மு.ஆ.எண்.வேஅய/132189/2015-1 நாள் : 30.04.2018 to get the ratification order of the Government as per Accountant General, Chennai's Letter No.P07/6/10720585/ADK/96 dated 08.01.2019 and to send revised pension proposals within a specified time frame that may be fixed by this Hon'ble Court.



2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

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

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4. According to the petitioner, he retired as Deputy Agriculture Officer on reaching the age of superannuation on 30.06.2013 and getting monthly pension also. Since there was anomaly occurred while revising his scale of pay in the post of Deputy Agriculture Officer as his junior was getting more pay than him with effect from 01.01.2010. Subsequently, vide proceedings dated 30.04.2018, the Director of Agriculture, Chennai/ the third respondent herein has refixed the petitioner's scale of pay, but no ratification order of the Government for refixation was obtained and hence, the Accountant General, Chennai has returned the proposals for getting ratification of the Government. Hence, the Writ Petition.

5. When this Writ Petition is taken up for consideration, the learned Standing counsel for the respondents would submit that 3<sup>rd</sup> respondent has already submitted the proposals to the 1<sup>st</sup> respondent and the 1<sup>st</sup> respondent has to pass necessary orders.

6. It is not in dispute that there was pay anomaly and the Government vide letter dated 11.12.2014 accepted the same and issued direction to the 3<sup>rd</sup> respondent to refix the pay of the petitioner herein and based on the said orders of the Government, the 3<sup>rd</sup> respondent has also refixed the scale of pay. Since no ratification orders was obtained from the Government, the 2<sup>nd</sup> respondent has returned the proposal. Therefore, now it is for the 1<sup>st</sup> respondent to consider the matter and pass appropriate orders of ratification. If still no proposals were submitted, the 3<sup>rd</sup> respondent is directed to send the proposal to the 1<sup>st</sup> respondent and on such proposals being submitted by the 3<sup>rd</sup> respondent, the 1<sup>st</sup> respondent is directed to consider the same and pass appropriate orders of ratification, within a period of six weeks from the date of receipt of a copy of this order and after getting ratification orders, the first respondent is directed to send revised pension proposals to the 2<sup>nd</sup> respondent within a period of six weeks thereafter.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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To

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Secretary to Government,  
Department of Agriculture, Secretariat,  
Chennai - 600 009.

2.The Accountant General (Accounts & Entitlement),  
No.361, Anna Salai,  
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Chennai - 600 018.

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

4.The Joint Director of Agriculture,  
Melakanmoi Street,  
Tallakulam,  
Madurai - 625 002.

+1 CC to M/s.SPL.GP ( SR-31749[F] dated 08/10/2021 )

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07.10.2021

SRR(CO)  
KB(01.11.2021) 3P 6C