



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 01.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.24007 of 2015
and M.P.No.1 of 2015

O.Arumugam

...Petitioner

Vs

- 1.The Commissioner of Agriculture,
Office of Commissioner of Agriculture,
Ezhilagham, Chennai 600 006.
- 2.The Joint Director of Agriculture,
Office of the Joint Director of Agriculture,
Kancheepuram.
- 3.The Assistant Director of Agriculture,
Thiruporur, Kancheepuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records of the 2nd respondent and quash the impugned order dated 24.11.2014 made in A1/5354/2014 and quash the same and directing the respondents to grant all monetary benefits to the petitioner.

For Petitioner : Mr.M.E.Raniselvam

For Respondents: Mr.E.Veda Bagath Singh,
Special Government Pleader

O R D E R

This Writ Petition has been filed to call for the records of the 2nd respondent pertaining to the impugned order dated 24.11.2014 made in A1/5354/2014 and quash the same and direct the respondents to grant all monetary benefits to the petitioner.

2.As per G.O.Ms.No.1120, Personal Administrative Department, dated 30.10.1984, every Deputy Agricultural Officer is required to pass three Departmental Examinations within a period of five years of his appointment for the purpose of receiving increments. The petitioner herein has passed Agricultural Department Examination only, but had passed the remaining two examinations, to qualify for the increments. It is in this background, the petitioner herein seeks for relaxation of the condition for the purpose of benefits under the Government Order.



3.The relaxation to be granted is a policy decision of the Government and this Court exercising its powers under Article 226 of the Constitution of India, will not normally direct the Government to relax the Rules. This Court is also conscious of the fact that many other Deputy Agricultural Officers, would have had the benefit of the Government Order by passing the required Departmental Examinations. Furthermore, if the relaxation done to facilitate the present retired Deputy Agricultural Officer, the same would pave the way for others also to follow suit. Hence, the prayer in the Writ Petition does not require consideration.

4.Above all, on the factual aspects of this case, it is seen that the petitioner had ten opportunities during his service to appear for the Departmental Examination, in which, the petitioner had attempted only four times. Even therein, he had passed only one of the Examinations. The petitioner atleast should have appeared for these Examinations, which he did not. In view of such negligence, the petitioner's case may not require for consideration, on the facts also. Hence, I do not find any merits in the present Writ Petition.

5.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vkr
To

- 1.The Commissioner of Agriculture,
Office of Commissioner of Agriculture,
Ezhilagham, Chennai 600 006.
- 2.The Joint Director of Agriculture,
Office of the Joint Director of Agriculture,
Kancheepuram.
- 3.The Assistant Director of Agriculture,
Thiruporur, Kancheepuram District.

+1 cc to Government Pleader Sr.NO. 6466

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GPL(CO)
A.SK(24.02.2022)