



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.NOS.5530, 5907, 5912, 5916, 5919, 5921, 5923, 5925, 5927,
5929, 5931, 5932, 5933 AND 5934 OF 2021

AND

W.M.P.NOS.6157, 6159, 6522, 6523, 6532, 6533, 6534, 6537, 6540,
6542, 6545, 6547, 6550, 6551, 6554, 6555, 6557, 6558, 6559,
6560, 6562, 6564, 6565, 6566, 6567, 6568, 6569 AND 6570 OF 2021

P.DEVENDRAN

... PETITIONER in WP No.5530 of 2021

P.NALLASIVAM

... PETITIONER in WP No.5907 of 2021

J.GOVINDASAMY

... PETITIONER in WP No.5912 of 2021

G.ARTHI MEENAKUMARI

... PETITIONER in WP No.5916 of 2021

S.SUDEESH

... PETITIONER in WP No.5919 of 2021

P.MURUGAN

... PETITIONER in WP No.5921 of 2021

K.RAJA GOUTHAMAN

... PETITIONER in WP No.5923 of 2021

S.RAVICHANDRAN

... PETITIONER in WP No.5925 of 2021

P.RAMESH BABU

... PETITIONER in WP No.5927 of 2021



P.RANGANATHAN

... PETITIONER in WP No.5929 of 2021

M.KRISHNAN

... PETITIONER in WP No.5931 of 2021

S.SATHISH

... PETITIONER in WP No.5932 of 2021

P.VELANKANNI

... PETITIONER in WP No.5933 of 2021

J.MUTHAIYAN

... PETITIONER in WP No.5934 of 2021

vs.

1. THE PRINCIPAL SECRETARY/THE AGRICULTURE
PRODUCTION COMMISSIONER,
SECRETARIAT,
FORT ST.GEORGE,
CHENNAI - 600 009.

2. THE CHIEF EXECUTIVE OFFICER,
STATE LEVEL NODAL AGENCY,
TANCOF BUILDING NO.55,
THIRU VI KA. INDUSTRIAL ESTATE,
EKKATTUTHANGAL,
CHENNAI - 600 032.

...RESPONDENTS IN WP'S

Prayer in WP No.5530, 5907 of 2021:

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writs of Certiorarified Mandamus, to call for the records pertaining to the Impugned order in letter No 1121/SLNA/2020 dated 12.8.2020 on the file of the Respondent No 2 and quash the same as illegal to the extent of Terminating the services of the Petitioners from the Post of Engineer, Watershed Development Team Member and consequently to direct the Respondents to retain the Petitioners till the end of Consolidation Phase of the Integrated Watershed Management Programme- XII In Perambalur District.

Prayer in WP No.5912 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus,



to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Botionist, Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme XII in Kallakurichi District.

Prayer in WP No.5916 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Sociologist Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme XII in Kallakurichi District.

Prayer in WP No.5919 of 2021

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Engineer, Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme VII in Villuppuram District.

Prayer in WP No.5921 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020, dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Engineer, Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme XI in Villuppuram District.



Prayer in WP No.5923 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Botonist, Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme VII in Villuppuram District.

Prayer in WP No.5925 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Sociologist,Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme X in Kallakurichi District.

Prayer in WP No.5927 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Engineer,Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme IX in Kallakurichi District.

Prayer in WP No.5929 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Botonist,Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of



consolidation phase of the Integrated watershed Management Programme XI Villuppuram District.

Prayer in WP No.5931 of 2021:

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Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Botonist,Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme X Kallakurichi District.

Prayer in WP No.5932 of 2021:

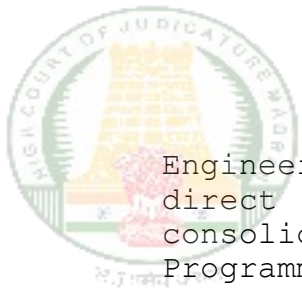
Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Sociologist,Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme XI Villuppuram District.

Prayer in WP No.5933 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Sociologist,Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme VIII Villuppuram District.

Prayer in WP No.5934 of 2021:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Letter No.1121 / SLNA /2020,dated 12/08/2020 on the file of the Respondent No.2 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of



Engineer, Watershed Development Team Member and consequently to direct the respondents to retain the petitioner till the end of consolidation phase of the Integrated watershed Management Programme X Kallakurichi District.

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For Petitioner : M/S.P.Rajesh and Selvi Rajesh (in all WPs)

For 1st Respondent: M/s.S.Prabhakaran(G.A) in WP.No.5530,
5934/2021
M/s.Anitha Special G.P in WP.No.5907, 5923,
5925, 5927, 5929/2021
M/s.V.Manoharan (AGP) in WP.No.5912, 5916/2021
M/s.A.M.Ayyadurai (G.A.) in WP.No.5919/2021
M/s.P.Rajarajeshwari (G.A) in WP.No.5921/2021
M/s.M.Bindran (AGP) in WP.No.5931, 5932,
5933/2021

For R2 : Mr.V.Jayaprakash Narayan (in all WPs)

O R D E R

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

2. Challenge in these writ petitions is to the impugned order passed by the second respondent in Letter No.1121/SLNA/2020 dated 12.08.2020 and quash the same as illegal to the extent of terminating the services of the petitioner from the post of Engineer, Watershed Development Team Member and consequently to direct the Respondents to retain the petitioner till the end of consolidation phase of the Integrated Watershed Management Programme-XII in Villupuram District.

3. The petitioners in all these writ petitions were appointed as Watershed Development Team Members in the Integrated Watershed Management Programme, which is a project funded 60% by the Central Government and 40% by the State Government. So, all the petitioners were engaged for the project work as Agronomists, Sociologists and Engineers and most of them are working for more than 20 years continuously one after the other projects. Presently, the Batch V (2013-14) and Batch VI (2014-15) are in the third phase of the project. Under these circumstances, the petitioners have been directed to be disbanded by the impugned orders on the ground that the regular staff would continue the remaining project work, whereas the petitioners, who were appointed in the project work are entitled



to continue till the completion of the project. The work will be completed only in the month of March, 2020-2021 and March 2021-2022 and therefore, they are entitled to work in the project upto March 2021-2022, whereas in the present case before the completion of the project, the work of the petitioners have been disbanded by the respondents. Hence, aggrieved over the same, the petitioners have filed these writ petitions to quash the impugned orders.

4. The learned counsel for the petitioners would submit that all these petitioners were appointed as Watershed Development Team Members and they are working for more than 10 years. After utilising the services of the petitioners for more than 10 years, all of a sudden their work was disbanded, which is totally against the interest of the petitioners. It is the duty of the State Government to protect the rights of the employers, who are working for more than 10 to 15 years and crossed the age of 40-45 years and at this stage, the petitioners cannot go anywhere and seek for employment. He would further submit that the project has been funded by the Central Government and the Central Government will pay the project fund to the State Government and that there is no loss for the State Government and there is no impediment for the State Government to permit the petitioners to continue in the existing project work upto the completion of the project. Hence, the learned counsel would submit that before expiry of the project work, which is to be completed in the month of March 2021-2022, the respondents disbanded against the guidelines issued with regard to the Watershed Development Project. Therefore, he would contend that the impugned orders are liable to be quashed.

5. The learned counsel for the petitioners further submitted that similarly placed persons have filed writ petitions before the Madurai Bench of this Court in W.P.(MD)Nos.11052 of 2020 etc., batch and vide order dated 17.12.2020, this Court has passed the following order:

"16.Considering the fact that the petitioners are working for more than 10~15 years in the same project and considering the age of the petitioners and that the respondents being a welfare state, though it is not a matter of right for the petitioners to claim any legal right over the employment, it is also the duty of the State Government to protect the interest of the petitioners to the extent of their survival, as the State has utilised their services extensively, they cannot go and seek for any new employment, thus, this Court is of the opinion that the respondents can utilise the services of the petitioners in the



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forthcoming new projects, as stated in the affidavit filed by the second respondent. The petitioners have already got rich experience in the said watershed project. No doubt, such rich experience will be useful for the respondents, in case of utilising their services in the forthcoming new watershed projects which will be beneficial not only for the respondents, but also the agriculturists.

17. Though this Court is not inclined to allow these writ petitions, as there is no merit, this Court is inclined to direct the respondents (a).to consider the petitioners, who are all already worked in the watershed projects, and give priority in employment to them, in the forthcoming new projects of the respondents; and (b).to consider the age relaxation, in the case of direct recruitment for watershed projects, to the petitioners, so as to enable them to participate in the process of direct recruitment."

The learned counsel for the petitioner therefore prays that it would suffice, if similar orders are passed in the present writ petitions also.

6. The learned Government Advocate for the first respondent has also not disputed the said fact.

7. In view of the above, this Court directs the respondents to consider the claim of the petitioners in the light of the orders passed by this Court in W.P.(MD)Nos.11052 of 2020 dated 17.12.2020 and pass orders on its own merits and in accordance with law.

8. These Writ Petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary/
The Agriculture Production Commissioner,
Secretariat,
Fort St.George,
Chennai - 600 009.
2. The Chief Executive Officer,
State Level Nodal Agency,
TANCOF Building No.55,
Thiru Vi Ka. Industrial Estate,
Ekkattuthangal,
Chennai - 600 032.

+14ccs to M/S.P.Rajesh , Advocate, S.R.No.28348, 28349, 28350,
28351, 28352, 28353, 28354, 28340, 28341, 28342, 28343, 28344,
28345, 28347
+14ccs to Mr.V.Jayaprakash Narayan, Advocate, S.R.No.28598,
28597, 28596, 28562, 28599, 28592, 28593, 28594, 28574, 28575,
28591, 28564, 28565, 28563
+1cc to the Government Pleader, S.R.No.29140, 29130, 29910,
28909, 29142

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and

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6566, 6567, 6568, 6569 and 6570 of 2021

RP (CO)
PM/07/06/2022