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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.7924 of 2022

J.Ravikumar

...Petitioner

vs.

1. The Government of Tamil Nadu,
Rep. by Secretary to Government,
Agriculture Production Department,
Fort St.George,
Chennai - 600 009.
2. The Director of Horticulture &
Plantation Crops,
Chepauk,
Chennai - 600 005.
3. The Joint Director of Horticulture,
Vijayanagaram,
Horticulture House,
P.B.No.74,
Udhagamandalam-643 001.
4. The Assistant Director,
Department of Horticulture,
Rose Garden,
Udagamandalam,
Nilgris District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 4.3.2022 in the light of the G.O.Ms.No.348 Finance (Pay Cell) Department dated 28.11.2017.

For Petitioner : Mr.M.Padmanaban

For Respondents : Mrs.S.Anitha

Special Government Pleader

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. This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 4.3.2022 in the light of the G.O.Ms.No.348 Finance (Pay Cell) Department dated 28.11.2017.

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3. The case of the petitioner in brief:

The petitioner was initially appointed as Horticulture Worker on daily wages and completed about 25 years service in the same cadre. After a long service, the petitioner's service was regularized in the Horticulture Department with the Time Scale of Pay of Rs.2500-5000 and Rs.500/- as Grade Pay. Subsequently, it was revised based on the one man Commission report to Rs.7700/- 24000/- + Grade Pay of Rs.500/-. As per G.O.Ms.No.303, Finance Department dated 11.10.2017, the petitioner is entitled for the various benefits, pensionary and also other benefits as that of similarly placed employees in other department. Therefore, the petitioner made a representation to the respondents dated 04.03.2022 requesting them to grant the benefits as per the aforesaid G.O. But, so far, no order has been passed. Hence, this present writ petition is filed.

4. The learned Special Government Pleader submitted that, if the representation of the petitioner was received by the respondents, the same will be considered by the authorities concerned on merits and in accordance with law.

5. Inview of the above submissions and taking note of the order passed in G.O.Ms.No.348, Finance (Pay Cell) Department dated 28.11.2017, without expressing any opinion on merits, this Court is inclined to direct the respondents to consider the representation of the petitioner dated 04.03.2022, and pass orders on its own merits, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar



To

- 1.The Secretary,
Agriculture Production Department,
Fort St.George,
Chennai - 600 009.
- 2.The Director of Horticulture & Plantation Crops,
Chepauk,
Chennai - 600 005.
- 3.The Joint Director of Horticulture,
Vijayanagaram,
Horticulture House,
P.B.No.74,
Udhagamandalam.
- 4.The Assistant Director,
Department of Horticulture,
Rose Garden,
Udagamandalam,
Nilgris District.

+1 CC to The Government Pleader sr 23032
+1 CC to Mr.M.Padmanaban, Advocate sr 22900.

W.P.No.7924 of 2022

PL(CO)
SP(28/04/2022)