



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.8507 of 2022

M.Palanisamy Moorthi
S/o.Murugan,

... 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 and 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,
Sims Park, Udhagamandalam,
The Nilgiris District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, or any other writ or order or direction directing the respondents to consider petitioner's representation dated 26.2.2022 in the light of G.O. Ms.No.348 Finance (Pay Cell) Department dated 28.11.2017 and pass appropriate orders on it within a time frame which may be fixed by this Hon'ble Court.

For Petitioner	: Mr.S.Neduncheziyan for Mr.M.Padmanaban
For Respondents	: Mrs.S.Anitha Special Government Pleader

ORDER

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

2. This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to consider petitioner's



representation dated 26.2.2022 in the light of G.O. Ms.No.348 Finance (Pay Cell) Department dated 28.11.2017 and pass appropriate orders within a time as fixed by this Court.

3. The case of the petitioner in brief:

The petitioner had joined as Horticulture worker on daily wages during the year 1981 in the Horticulture Department. But, his service was regularised only from 01.01.2006, as per G.O.Ms.No.494 dated 29.11.2007. Subsequently, he was appointed on regular basis and his pay was fixed at Rs.2500-5000 Grade Pay 500; then it was revised by One Man Commission to Rs.7700 - 24000 + Grade Pay Rs.500.

3.1. The Government, vide G.O.Ms.No.88 dated 21.06.2021, had granted benefits to the regular workers working in the Government Farms, Parks and Gardens, on the basis of the benefits granted vide G.O.Ms.No.303 dated 11.10.2017. The petitioner comes under the category of Regular work and the Government vide G.O.Ms.No.348 dated 28.11.2017, have granted a monthly fixed pension of Rs.2,000/- to the regular workers. The petitioner made representation on 26.02.2022 to the respondents to grant pension by preparing appropriate proposal. However, the respondents have not considered the same. Hence this writ petition.

4. The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner will be considered by the authorities concerned and appropriate orders will be passed on its own merits, in accordance with law.

5. In view of the above submission and considering the limited scope of prayer and to meet the ends of justice, without expressing any opinion on merits, the following order is passed.

i) The second respondent is directed consider the representation of the petitioner dated 26.02.2022 and to pass orders on its own merits and in accordance with law, by taking note of G.O.Ms.No.348 dated 28.11.2017, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this court.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar



mst

To

- 1.The Government of Tamil Nadu
The Secretary to Government,
Agriculture Production Department,
Fort St. George, Chennai 600 009.
- 2.The Director of Horticulture and 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,
Sims Park, Udhagamandalam,
The Nilgiris District.

+lcc to Mr.M.Padmanaban, Advocate, S.R.No.23720

+lcc to the Government Pleader, S.R.No.24526

W.P.No.8507 of 2022

PM(CO)

CT 27/04/2022