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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.11283 of 2022

S.Saraswathy

... 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,
Nilgiris District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 21.02.2022 in the light of 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



ORDER

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

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2. This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to consider petitioner's representation dated 21.2.2022 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 in the Horticulture Department on 01.04.1990. 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 21.02.2022 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 21.02.2022 and to pass orders on its own merits and in accordance with law, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this court, after giving opportunity to the



petitioner and other interested persons if any.

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

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Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mst

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 - 643 001.
- 4.The Assistant Director,
Department of Horticulture,
Rose Garden, Udagamandalam,
The Nilgiris District.

+1cc to Mr.Padmanaban, Advocate SR.No.30266
+1cc to the Government Pleader SR.No.30907

W.P.No.11283 of 2022

MG(CO)
GN(02/06/2022)