



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2022

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.13881 of 2020

&

W.M.P.No.17251, 17252 of 2020 & 20036 of 2020

1.Tamil Nadu Government Agricultural
Technology Management Agency Officers Society,
Rep by its President Mr.G.Sankar
having office at No.3/40,
Natesh Anbagam,
Mico Farm Keezh Road,
T.Pattinam, Mettur Dam,
Salem District.

2.G.Sankar

Vs.

...Petitioners

1.The Principal Secretary to Government,
Agriculture, Agricultural Engineering,
Agro Service Co-operatives, Horticulture,
Sugarcane Cess, Sugarcane Development
and Waste Land Development Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Director of Agriculture,
State Nodal Officer (Extension Reforms),
Chepauk, Chennai - 600 005.

...Respondents

Prayer:

Writ Petitions filed under Article 226 of the Constitution of India praying Writ of Certiorari, to call for the records pertaining to the proceedings in Lr.No.ATMA 1/124947/2018, dated 24.09.2020 on the file of the second respondent and quash the same as illegal, incompetent and ultravires.

For Petitioner : Mr.V.Vijayshankar

For Respondents : Mr.S.Silambanan,
Additional Advocate General
Assisted by Mr.G.Ameedius,
Government Advocate



ORDER

The Writ petition is filed by the Society representing 1700 employees namely Assistant Managers and Block Technology Managers who are appointed on contract basis.

2. The grievance as projected in the Writ petition is that in view of the certain complaints against some of the employees for their committing grave acts of misconduct, the second respondent was attempting to en masse transfer of all the employees.

3. In that context, the Writ petition came to be filed and a challenge was made. On a prima facie consideration of the case, this Court granted interim order of stay. However, it turns out after passage of time, that several transfers have also taken place in between from the date of interim order passed by this Court and today. Since, the petitioner being a Society representing more than 1,500 employees, it is difficult for this Court to proceed with the Contempt petition as such.

4. Mr.S.Silambanan, learned Additional Advocate General, would apprise this Court as to what had transpired. According to the learned Additional Advocate General that most of the persons who were members of the society have obeyed the transfer orders and joined in the new places of transfer. According to him, very few persons are persisting with this Writ petition. At this Mr.V.Vijay Shankar, learned counsel for the petitioner would submit that the petitioners who are still aggrieved by the action of the respondent can be given liberty to submit their representations and a direction be issued to the competent authority to consider their representation in the light of the Government Orders and taking into consideration their service requirement.

5. The learned Additional Advocate General as well as the learned counsel appearing for the petitioner would submit that if such direction is issued, the Writ petition itself can be disposed of.

6. In consideration of the submission by both learned counsel for the petitioner and learned Additional Advocate General, the Writ petition stands disposed of with a direction as herein below;

Some of the members who seemed to be aggrieved by the action of the respondent in transferring them, are at liberty to present their representation to the competent authority. If such representation is given, it is open to the authorities to consider their request appropriately and suitably by taking into



account the difficulties expressed by the employees concerned, on they being transferred and relocated. The authorities may dispose of such representation as expeditiously as possible.

No costs. Consequently, connected miscellaneous petitions stand closed.

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

mrm

To

1.The Principal Secretary to Government,
Agriculture, Agricultural Engineering,
Agro Service Co-operatives, Horticulture,
Sugarcane Cess, Sugarcane Development
and Waste Land Development Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Director of Agriculture,
State Nodal Officer (Extension Reforms),
Chepauk, Chennai - 600 005.

+1cc to Mr.V.Vijayshankar, Advocate SR.No.20885

+1cc to Government Pleader SR.No.21022

W.P.No.13881 of 2020

PMK (CO)
GMY (11/04/2022)