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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2022

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.16629 of 2020
and W.M.P.Nos.20629 & 20631 of 2020

R.Renganathan
Sociologist, Watershed Development Team Member,
District Watershed Development Agency,
O/o.the Joint Director of Agriculture,
Collectorate, Integrated Agriculture Building,
Perambalur District - 621 212 ... Petitioner

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 - 600032. ... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India, to issue 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 - XIV in Perambalur District.

For Petitioners : Mr.P.Rajesh

For Respondents : Mr.P.Rajarajeswari
Government Advocate



O R D E R

This Writ Petition has been filed 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 second respondent, 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 - XIV in Perambalur District.

2.Brief facts of the case:

The petitioner was appointed as the Sociologist in the Drought Prone Area Programme (DPAP) in the year 2005 and thereafter, he was engaged in the Integrated Watershed Management Programme (2014-15) Batch VI. As per the common Guidelines for Watershed Development Projects, there are three stages/phases of implementation of the project. The Integrated Watershed Management Programme 2014-2015 is in the third phase as on today and the project is yet to be completed. In the meanwhile, the second respondent has issued impugned order by terminating the services of the petitioner and all the other staff working for several years for the project without any reason. Admittedly the project is not completed and the impugned order also states that the remaining work would be completed by the regular staff very strangely. Further, the petitioner is aged about 48 years and he cannot be sent out to seek for fresh employment. Hence, the writ petition.

3.The learned counsel for the petitioner 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 forthcoming new projects, as stated in the affidavit filed by the second



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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 the case of utilising their services in the forthcoming new watershed projects which will be beneficial not only for the respondents, but also the agriculturists.

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

4.The learned Government Advocate appearing for the respondents has also not disputed the said fact.

5.In view of the above, this Court directs the respondents to consider the claim of the petitioner in the light of the order passed by the Hon'ble Madurai Bench of this Court in W.P.(MD).Nos.11052 of 2020 etc., batch, dated 17.12.2020 and pass orders on its own merits and in accordance with law.

6.With the above direction, this Writ Petition stands 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 - 600032.

+1cc to Mr.P.Rajesh, Advocate SR.No.18517
+1cc to Government Pleader SR.No.17771

W.P.No.16629 of 2020

GPL(CO)
GMY(06/04/2022)