



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NOS.19159, 19164, 19166 AND 19169 OF 2021
AND
W.M.P.NOS.20462, 20465, 20468 AND 20469 OF 2021

1. A.Vedhanayagam
...Petitioner in W.P.No.19159 of 2021
2. T.Eniyan
...Petitioner in W.P.No.19164 of 2021
3. P.Sivalingam
...Petitioner in W.P.No.19166 of 2021
4. D.Pazhani
...Petitioner in W.P.No.19169 of 2021

Vs.

1. The State of Tamil Nadu
rep. by its Principal Secretary to Government,
Agriculture Department,
Secretariat,
Chennai- 600009.
2. The Chief Executive Officer,
State Level Nodal Agency,
TANCOF Building No.55,
Thiru Vi.Ka. Industries Estate, Ekkattuthangal
Chennai-600032.
3. The Project Director/ Joint Director of Agriculture,
District Water Shed Development agency
O/o. The Joint Director of Agriculture,
Krishnagiri District.

.. Respondents in all WPs

Common Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the second respondent vide letter in No.1121/SLNA/2020 dated 12.08.2020 and the consequential impugned order passed by the third respondent vide



his proceedings Seyal-murai-aanai Na.Ka.No.3387/2018 dated 31.08.2020 and quash the same as illegal and consequentially to direct the respondents to retain the petitioner till the end of consolidated phase of the Integrated Watershed management Programme-XI and to regularize the services of the petitioner from the date of their initial appointment taking into consideration of their length of service within the period stipulated by this Hon'ble Court.

For Petitioners : Mr.J.Calvin Jones
(in all WPs)
For Respondents : Ms.R.L.Karthika, GA
(in all WPs)

COMMON ORDER

Challenge in these writ petitions is to the impugned order passed by the 2nd respondent in Letter No.1121/SLNA/2020 dated 12.08.2020 and the consequential impugned order passed by the 3rd respondent proceedings Seyal-murai-aanai Na.Ka.No.3387/2018 dated 31.08.2020 and quash the same as illegal to the extent of terminating the services of the petitioners from the post of Agronomist and Engineer respectively in Watershed Development Team Member and consequently to direct the respondents to retain the petitioners till the end of consolidation phase of the Integrated Watershed Management Programme -XI.

2. The learned counsel for the petitioners 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 respondent. The petitioners have



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already got rich experience in the said watershed project. No doubt, such rich experience will be useful for the respondents, in case of utilising their services in the forthcoming new watershed projects which will be beneficial not only for the respondents, but also the agriculturists.

17. Though this Court is not inclined to allow these writ petitions, as there is no merit, this Court is inclined to direct the respondents (a).to consider the petitioners, who are all already worked in the watershed projects, and give priority in employment to them, in the forthcoming new projects of the respondents; and (b).to consider the age relaxation, in the case of direct recruitment for watershed projects, to the petitioners, so as to enable them to participate in the process of direct recruitment."

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

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

4. In view of the above, this Court directs the respondents to consider the claim of the petitioners in the light of the orders passed by this Court in W.P.(MD)Nos.11052 of 2020 dated 17.12.2020 and pass orders on its own merits and in accordance with law.

5. These Writ Petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Agriculture Department,
Secretariat, Chennai- 600009.



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2. The Chief Executive Officer,
State Level Nodal Agency,
TANCOF Building No.55,
Thiru Vi.Ka. Industries Estate, Ekkattuthangal
Chennai-600032.

3. The Project Director/ Joint Director of Agriculture,
District Water Shed Development agency
O/o. The Joint Director of Agriculture,
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19166 and 19169 of 2021
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PL (CO)
RLP (12/04/2022)