



WEB COPY



W.P.No.28542 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2022

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.28542 of 2014
and
M.P. Nos.1 and 2 of 2014

The Tamil Nadu Agricultural Research
Officers Association,
Bio-Fertilizers Production Unit,
Polur – 606 803, Thiruvannamalai District
rep. By its State General Secretary
D.Gunasekaran

...Petitioner

..Vs..

1.The Government of Tamil Nadu
rep. By its Secretary to Government,
Agriculture Department,
Fort St. George, Chennai – 9.

2.The Director of Agriculture,
Chepauk, Chennai – 5.

3.R.Rajasekar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, calling for the
records of the first respondent herein in G.O.Ms.No.283 Agriculture
Department dated 12.08.2014 and quash the same in so far as it
relates to the position of Deputy Director of Agriculture and direct the
respondents 1 and 2 herein to re-establish the Chemistry Wing of the



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Agriculture Department as it stood prior to the merger under G.O.Ms.No.537 Agriculture Department dated 24.12.2007 and consequently give promotion, pay and other benefits to the members of the Chemistry Wing of the Agriculture Department.

For Petitioner : Ms.AL.Ganthimathi

For Respondent : Mr.M.Bindran
Addl. Govt. Pleader for R1 and R2
R3 – No appearance

ORDER

The writ on hand has been filed to quash the G.O.Ms.No.283 Agriculture Department dated 12.08.2014 as it relates to the position of Deputy Director of Agriculture and further direct the respondents 1 & 2 herein to re-establish the Chemistry wing of the Agriculture Department as it is prior to the merger under G.O.Ms.No.537 Agriculture Department dated 24.12.2007 and consequently grant promotion, pay and other benefits to the members of the Chemistry Wing of Agriculture Department.

2. The writ petition has been filed by the Tamil Nadu Agricultural Research Officer Association. The petitioner states that the members of the Association are working in the Agriculture Department. The Department of Agriculture was reconstructed and different Directorates



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were formed and Government issued order in G.O.Ms.No.537 Agriculture Department dated 24.12.2007 merging the agriculture services.

3. In view of the policy decision in the Agriculture Department, several changes happened in the matter of seniority, promotions and etc. Therefore, promotion is to be construed as an individual grievance as it involves eligibility qualification and other criteria. Association cannot seek promotion of its members by filing a common writ petition, as preparation of panel, grant of promotion is to be granted based on the particulars of the individual employees and subject to their eligibility and qualification. These factors are to be verified by competent authorities for the purpose of grant of promotion.

4. This being the factum, the writ petition filed by the association for the purpose of granting promotion to its members cannot be entertained. Under these circumstances, the aggrieved members of the petitioner association are at liberty to approach the competent authorities setting out their individual grievances for the redressal of the same.

S.M.SUBRAMANIAM., J



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5. With this liberty, the writ petition stands disposed of. No costs. Connected miscellaneous petitions are closed.

01.07.2022

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Index: Yes/No
Internet: Yes/No
Speaking Order

To

- 1.The Secretary to Government,
Agriculture Department,
Fort St. George, Chennai – 9.
- 2.The Director of Agriculture,
Chepauk, Chennai – 5.

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