



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

CONT.P(MD)No.703 of 2020

T.Anbuvel

... Petitioner/Petitioner

vs

1. Thiru V.Dhakshinamoorthy, IAS.,
Director of Agriculture,
O/o Director of Agriculture,
Chepauk, Chennai - 5.

2. Thiru. K.Venkateshwaran,
Joint Director of Agriculture,
Collectorate Campus
Sivagangai District.
Sivagangai.

... Contemnors/Respondents

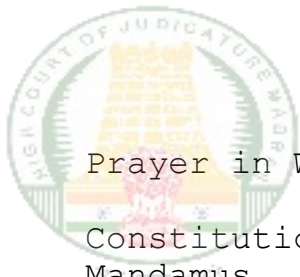
PRAYER: Petition filed under under Section 11 of the Contempt of Court Act, 1973, to punish the contemnors/respondents for having violated and willfully disobeyed the order of the Court made in W.P. (MD)Nos.15375 of 2013 to 15383 of 2013, 1236 of 2014 and 8913 & 8914 of 2018, dated 03.10.2019.

Prayer in WP(MD). 15375 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari/Mandamus, to call for the records pertaining to the Impugned Order in Ka.No.Pa.Ni3/5650/2013 dated 08.08.2013 received on 19.08.2013 on the file of the Respondent No.2 and quash the same as illegal and consequently for a direction, directing the Respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit alongwith other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.

Prayer in WP(MD). 15376 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.



Prayer in WP(MD). 15377 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.

Prayer in WP(MD). 15378 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.

Prayer in WP(MD). 15379 of 2013 :

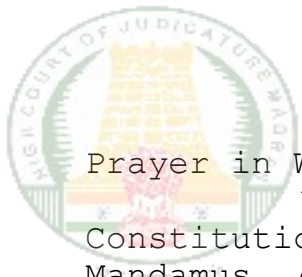
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.

Prayer in WP(MD). 15380 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.

Prayer in WP(MD). 15381 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.



Prayer in WP(MD). 15382 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.

Prayer in WP(MD). 15383 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to re-fix the seniority of the petitioner and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 within the time period stipulated by this Honourable Court.

Prayer in WP(MD). 1236 of 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Government Letter No. 7790/VaeNi4(2) /2012-5 dated 14.11.2013 on the file of the Respondent No.1 and quash the same as illegal and consequently for a direction , directing the respondnets to re fix the seniority of the petitioners and date of appointment with effect from 26.02.2009 and provide monetary benefit along with other consequential benefits in light of the G.O. Ms. No. 340 dated 26.08.2010 within the time period stipulated by this HOnourable Court.

Prayer in WP(MD). 8913 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order vide letter No.7790/VA 4(2)/2012-5 dated 14.11.2013 passed by the second respondent, quash the same and consequently directing the Respondents tore-fix the pay and allowances on part with batch mates who had joined prior to 01.06.2009 and similarly placed Government Servants who have availed the benefits of G.O.Ms.No.340 Finance (Pay Cell) Department, dated 26.08.2010 in the case of one Ms.S.Saranya, Horticulture Officer and Junior Assistants namely S.Mohamed Jaffar, Tmt. E.Prassanna, S.Thangavel, G.Muthaiah, A.Duraikumar, A.Balasubramanian, based on the proposal forwarded by the third respondent vide his proceedings in Letter No.Ka.Pa.Ni 1/58931/2016, dated 26.07.2016 to the second Respondent as per G.O.Ms.No.340, Finance (pay Cell) Department, dated 26.08.2010 with



all monetary and attendant benefits retrospectively in accordance with law.

Prayer in WP(MD). 8914 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus to call for the records relating to the impugned order vide letter No. 7790/AA 4(2) / 2012-5, dated 14.11.2013 passed by the second respondent, quash the same and consequently directing the respondents to re-fix the pay and allowances on par with batch mates who had joined prior to 01.06.2009 and similarly placed Government Servants who have availed the benefits of G.O.Ms.No.340 Finance (Pay Cell) Department, dated 26.08.2010 in the case of one Ms.S.Saranya, Horticulture Officer and Junior Assistants namely S.Mohamed Jaffar, Tmt. E.Prassanna, S.Thangavel, G.Muthaiah, A.Duraikumar, A.Balasubramanian, based on the proposal forwarded by the third respondent vide his proceedings in Letter No.Ka.Pa.Ni 1/58931/2016, dated 26.07.2016 to the second Respondent as per G.O.Ms.No.340, Finance (Pay Cell) Department, dated 26.08.2010 with all monetary and attendant benefits retrospectively in accordance with law.

For Petitioner : Mr.G.Karthik

for Mr.T.Lajapathi Roy

For Respondents : Mr.R.Ragavendram
Government Advocate (Civil side)

ORDER

This contempt petition is filed for the willful disobedience of the order, dated 03.10.2019 passed in W.P.(MD)Nos.15375 of 2013 to 15383 of 2013, 1236 of 2014 and 8913 & 8914 of 2018. This Court has allowed the writ petition by setting aside the impugned order, dated 14.11.2013 and the respondents are directed to re-fix the pay and allowance on par with the petitioner's batch-mates who had joined prior to 01.06.2009 and who were given the benefit of G.O.Ms.No.340, dated 26.08.2010, with all monetary benefits and attendant benefits.

2. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents has submitted that the Government has passed G.O.Ms.No.269 Agriculture (AA4(2)), Department, dated 21.11.2020, giving power to the Director to re-fix the pay and allowance on par with the batch-mates and hence, the order passed was complied with. The respondents are directed to implement the proceedings without any delay and grant all the monetary benefits immediately.



3. Hence, the Contempt Petition is closed. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

jbr

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Director of Agriculture,
O/o Director of Agriculture,
Chepauk, Chennai - 5.
2. The Joint Director of Agriculture,
Collectorate Campus
Sivagangai District.
Sivagangai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-4144[F] dated 04/02/2022)
+1 CC to M/s.SPL.GP (SR-4560[F] dated 07/02/2022)

Order made in
CONT.P(MD)No.703 of 2020
03.02.2022

sj(CO)

TR(25.02.2022) 5P 5C