



W.P.(MD).No.20569 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.12.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.20569 of 2017

G.Poovalingam

... Petitioner

Vs.

1.The Agricultural Production Commissioner and
Secretary to Government,
Agriculture Department,
Secretariat,
Chennai – 600 009.

2.The Director of Agriculture,
Chepauk,
Chennai – 600 005.

3.The Joint Director of Agriculture,
Mannarpuram,
Tiruchirapalli – 620 020.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a *Writ* of Certiorarified Mandamus, calling for the records of the second respondent i.e., the Director of Agriculture, Chennai in his *foj.vz;gmg2/144360/2016 ehs*; : 15.06.2017 communicated by the Joint



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Director of Agriculture, Tiruchirapalli in his endorsement dated 25.07.2017 and quash the same and consequently direct the first and second respondent i.e., the Agricultural Production Commissioner and Secretary to Government, Chennai and the Director of Agriculture, Chennai to sanction the advance increment as sought for by the petitioner on par with Thiru.R.Pradeep, a similarly placed person in the Department, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.N.Muthuvijayan,
Special Government Pleader.

ORDER

This Writ Petition is filed challenging the order dated 15.06.2017 and consequently direct the first and second respondent i.e., the Agricultural Production Commissioner and Secretary to Government, Chennai and the Director of Agriculture, Chennai to sanction the advance increment as sought for by the petitioner on par with Thiru.R.Pradeep, a similarly placed person in the Department.

2. The petitioner was qualified with M.Sc., Sugarcane Technology awarded by the Tamil Nadu Agriculture University through Open and Distance



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Learning. The petitioner has submitted a representation to consider his qualification for granting incentive increments. The petitioner is serving in Agricultural Department. The persons who are serving in Agricultural Department are not entitled to two incentive increments, if they have M.Sc., Sugar Cane Technology. With the aforesaid degree, if they are serving in public sector Sugar Mill, then they will be entitled to. This position is clarified in the Government Order in G.O.Ms.No.570, Agri (AA1) dated 01.04.1978.

3. The learned Special Government Pleader submitted that the claim of the petitioner is already considered by the Government in its letter dated 01.04.1978, wherein, it has been categorically held that such qualification is not eligible for incentive increment. Moreover, similarly placed persons were also claimed and the same was rejected by the Government. Therefore, the petitioner is not entitled to.

4. After hearing the rival submissions based on the Government Order and based on the orders passed in the case of similarly placed persons, the petitioner is not entitled to.



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5. Recording the same, this Writ Petition is dismissed. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes/ No
Nsr

To

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S.SRIMATHY, J.

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