



W.P.No. 24450 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No. 24450 of 2012

N.Subramanian

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Petitioner

Vs

1. The Government of Tamil Nadu,
rep. by Agricultural Production Commissioner
and Secretary to Government,
Secretariat, Chennai – 600 009.

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

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Respondents

PRAYER: Writ Petition has been filed under Art. 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to give effect to the approval panel as issued by Government in G.O.Ms.No.22, Agriculture (AA1) Department, dated 27.01.2012 by giving promotion to the petitioner forthwith as Assistant Director of Agriculture (Extension), pursuant to inclusion of his name in the panel for the year 2010-2011 and in event prior to 30.09.2012.

For Petitioner : No appearance

For Respondents : Mr.M.Muthusamy
Government Advocate



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ORDER

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This Writ Petition has been filed for a direction directing the respondents to give effect to the approval as per G.O.Ms.No.22, Agriculture (AA1) Department, dated 27.01.2012 by giving promotion to the petitioner as Assistant Director of Agriculture (Extension).

2. Heard the learned Government Advocate appearing for the respondents. There is no representation for the petitioner. Therefore, this Court is inclined to pass orders on merits in this writ petition.

3. The petitioner was initially appointed as Assistant Agricultural Officer on 16.09.1982 and later he was promoted to the post of Agricultural Officer on 24.04.1992. The next avenue of promotion is Assistant Director of Agricultural (Extension) in the Tamil Nadu Agricultural Extension Service. Though the petitioner was fully eligible and qualified, he was not promoted to the post of Assistant Director of Agriculture.

4. Pursuant to the policy decision, the first respondent had taken decision to fill up the vacancies by the eligible persons and issued



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G.O.Ms.No.22, Agriculture (AA1) Department, dated 27.01.2012, approving said list consisting of 378 names of Agricultural Officer fit for temporary appointment and promotion to the post of Assistant Director of Agriculture (Extension). Though his name was included at Sl.No.239 and entitled for the promotion to the post of Assistant Director of Agriculture, the petitioner was not given promotion. Therefore, the petitioner made a representation to consider his name for the promotion to the post of Assistant Director of Agriculture.

5. On perusal of the counter filed by the respondents revealed that though the petitioner was entitled for promotion to the post of Assistant Director of Agriculture (Extension), for effecting promotion, the estimate of vacancies for the year was only 378. The vacancies were estimated due to retirements, casualty, etc. In the panel list, the petitioner's name is figured in Serial No.239. Till the date of his superannuation i.e., on 30.09.2012, the vacancy of the post of Assistant Director of Agriculture has not reached to 239. Therefore, he was not promoted to the post of Assistant Director of Agriculture.



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6. Hence, the request made by the petitioner cannot be considered and the writ petition is devoid of merits and it is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

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Index: Yes/Nos
Internet: Yes/No
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To

1. The Agricultural Production Commissioner
and Secretary to Government,
Secretariat, Chennai – 600 009.
2. The Commissioner of Agriculture,
Chepauk, Chennai – 600 005.



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G.K.ILANTHIRAIYAN, J.

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