



W.P.No.25580 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

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- 1.T.M.Raman
- 2.L.Ravi Kumar
- 3.I.Sarala Devi
- 4.R.Sivagami
- 5.R.Kasthuri
- 6.A.Mary Mettilda
- 7.S.Ubaith
- 8.S.Kumar
- 9.T.Subramanian
- 10.K.Mohan Kumar
- 11.M.Unni Krishnan
- 12.D.Moorthi
- 13.T.H.Indirani
- 14.N.T.Murugan
- 15.T.K.Siddharthan
- 16.V.Rani
- 17.K.Sivashankaran
- 18.M.S.Ranganathan
- 19.A.Maheswari
- 20.N.T.Mohan
- 21.C.Sumathi

... Petitioners

Vs.

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



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- 2.The Director of Horticulture and Plantation Crops/
Managing Director (TANHODA),
3rd Floor, Agriculture Complex,
Ezhilagam, Chepauk, Chennai – 600 005.
- 3.The Joint Director of Horticulture,
Horticulture Illam, Vijayanagaram Road,
Ooty – 643 001, The Nilgiris District.
- 4.The Assistant Director of Horticulture,
Government Botanical Garden,
Ooty – 643 001, The Nilgiris District.
- 5.The Assistant Director of Horticulture (Inputs)
State Horticulture Farm, Nanjanad,
Ooty – 643 001, The Nilgiris District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to promote the petitioners as Office Assistant, Record Clerk, Laboratory Assistant, Driver, Mazdoor, Gardener, Watchman, Store Keeper and Cleaner, which posts falling under the Basic Servants Category and does not fall within the purview of the Tamil Nadu Public Service Commission (TNPSC), commensurate with their qualifications, and in accordance with seniority as reiterated in Government Letter No.43698/(AA-1)/08-4, dated 17.08.2009, within a time limit to be stipulated by this Court.

For Petitioners : Mr.P.Manojkumar

For Respondents : Mr.S.Prabhakaran
Government Advocate



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ORDER

This writ petition has been filed to direct the respondents to promote the petitioners as Office Assistant, Record Clerk, Laboratory Assistant, Driver, Mazdoor, Gardener, Watchman, Store Keeper and Cleaner, which posts falling under the Basic Servants Category and does not fall within the purview of the Tamil Nadu Public Service Commission (TNPSC), commensurate with their qualifications, and in accordance with seniority as reiterated in Government Letter No.43698/(AA-1)/08-4, dated 17.08.2009, within a time limit to be stipulated by this Court.

2.It is the case of the petitioners that they were appointed on daily wages basis in Government Gardens and Farms managed and maintained by the Horticulture Department. Later, their services were also regularised. However, the grievance of the petitioners is that there is no promotion avenue for them. In this regard, the petitioners have given representation to the respondents on 28.06.2023. Since the same did not evoke any response, the present writ petition has been filed. The petitioners state that the grievance of similarly situated persons has been addressed in other Departments like Forest Department, Social Welfare



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Department, etc., as well as in their very same Department in Pudukottai.

Hence, the petitioners seek directions to the respondents to consider the representation of the petitioner within a time frame.

3.Heard the learned counsel for the petitioner and Mr.S.Prabhakaran, learned Government Advocate, who takes notice for the respondents.

4.Considering the limited nature of relief sought for in the present writ petition, there shall be a direction to the respondents to consider the representation of the petitioners dated 28.06.2023, and pass appropriate orders, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

30.08.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

<https://www.mhc.tn.gov.in/judis>



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To
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N. SATHISH KUMAR, J.

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