



W.P.(MD)No.1313 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1313 of 2023

K.Rajendran

... Petitioner

Vs.

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

2.The Director of Agriculture,
Ezhilagam,
Chepauk,
Chennai - 600005.

3.The Deputy Director of Horticulture,
Manoharan Road, Kattuputhukulam Road,
Behind Central Bus Stand,
Pudukkottai - 622 001.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent i.e., the Director of Agriculture, Chennai to obtain ratification of



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the Government for the orders issued in Se.Mu.Aa.No.Ve.A.Pa1/131465/2015 dated 07.05.2018 refixing the petitioner's pay on par with his junior Thiru P.T.Manimaran and send revised pension proposals to the Accountant General, Chennai, within a specified time frame that may fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mrs.K.Christy Theboral

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the 2nd respondent to obtain ratification of the Government for the orders issued in Se.Mu.Aa.No.Ve.A.Pa1/131465/2015 dated 07.05.2018, refixing the petitioner's pay on par with his junior Thiru P.T.Manimaran and send revised pension proposals to the Accountant General, Chennai, within a specified time frame that may fixed by this Court.



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2. The case of the petitioner is that he served as Deputy Horticulture Officer, Pudukottai and retired on 31.01.2012. Thereafter, he has made a representation to the Director of Agriculture, Chennai on 12.01.2017, for re-fixing his pay on par with his junior viz., P.T.Manimaran. Regarding re-fixation of pay on par with his junior, the Government has issued detailed instructions in Letter dated 11.12.2014. Based on the instructions of the Government, the pay scale of the petitioner was revised by the Director of Agriculture dated 07.05.2018 and send the revised pension proposal to the Accountant General, Chennai. But the Accountant General, Chennai has returned the proposal stating that since the petitioner was retired from service on 31.01.2012, the re-fixation of pay ordered by the Director of Agriculture dated 07.05.2018 has to be ratified by the Government. Hence, the petitioner has made a representation to the Director of Agriculture, Chennai on 17.06.2019, for getting ratification of the above said order. But no proposal was sent to the Government for getting ratification till today. Hence, the present writ petition has been filed.



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3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the second respondent to consider the petitioner's representation dated 17.06.2019 and pass appropriate orders within a reasonable time as fixed by this Court.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to consider the petitioner's representation dated 17.06.2019 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs.

24.01.2023

NCC: Yes/No
Index : Yes / No
Speaking Order : Yes / No

akv

To

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M.DHANDAPANI,J.

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