



W.P.(MD)No.2471 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.2471 of 2023

S.Veeramuthu

... Petitioner

Vs.

1. The Agricultural Production Commissioner and
Secretary to Government,
Department of Agriculture,
Secretariat,
Chennai - 600 009.
2. The Director of Agriculture,
Ezhilagam,
Chepauk,
Chennai - 600 005.
3. The Accounts Officer (Audit),
Agricultural Engineering Department,
Cantonment,
Tiruchirappalli.

... Respondents



W.P.(MD)No.2471 of 2023

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the second respondent, i.e., the Director of Agriculture, Chennai to send necessary proposals to the first respondent, i.e., the Agricultural Production Commissioner and Secretary to Government, Agriculture Department, Chennai as per the recommendation sent by the Accounts Officer (Audit) Agricultural Engineering Department, Tiruchirappalli in his Letter No.A/1584/2018, dated 23.12.2020 for re-fixing the pension of the petitioner on par with his junior A.Chandralekha within a specific time that may be 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 a direction to the second respondent, i.e., the Director of Agriculture, Chennai to send necessary proposals to the first respondent, i.e., the Agricultural Production Commissioner and Secretary to Government, Agriculture Department, Chennai as per the recommendation sent by the Accounts Officer (Audit) Agricultural Engineering Department, Tiruchirappalli, in his Letter No.A/1584/2018, dated 23.12.2020 for re-fixing the pension of the petitioner on par with his junior A.Chandralekha, within a specific time that may be fixed by this Court.



W.P.(MD)No.2471 of 2023

WEB COPY

2. The case of the petitioner is that the petitioner was lastly served as Superintendent (Audit) in the office of the Accounts Office (Audit), Agricultural Engineering Department, Tiruchirappalli. His total service in the Department is 32 years. He was allowed to retire voluntarily on 01.02.2016, as per the proceedings of the Director of Agriculture, Chennai, dated 28.01.2016. The petitioner preferred a representation to the Accounts Officer (Audit), Agricultural Engineering Department, Tiruchirappalli for re-fixing his pension on par with his junior, namely, Chandralekha, who was serving as Superintendent in the office of the Executive Engineer, Agricultural Engineering, Thanjavur and the same was forwarded to the Director of Agriculture Department, Chennai for passing order vide letter dated 23.12.2020. But till date, the Director of Agriculture, Chennai, did not send the proposal to the Government. Therefore, the petitioner has filed the present Writ Petition.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to consider the proposal, dated 23.12.2020, on merits and in accordance with law, within a specified period.



W.P.(MD)No.2471 of 2023

WEB COPY

4. The learned Additional Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

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 first respondent to consider the proposal dated 23.12.2020 forwarded by the third respondent to the second respondent 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.

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

08.02.2023

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

vji



W.P.(MD)No.2471 of 2023

WEB COPY

To

1. The Agricultural Production Commissioner and
Secretary to Government,
Department of Agriculture,
Secretariat,
Chennai - 600 009.
2. The Director of Agriculture,
Ezhilagam,
Chepauk,
Chennai - 600 005.
3. The Accounts Officer (Audit),
Agricultural Engineering Department,
Cantonment,
Tiruchirappalli.



WEB COPY



W.P.(MD)No.2471 of 2023

M.DHANDAPANI,J.

vji

W.P.(MD)No.2471 of 2023

08.02.2023