



W.P.(MD).Nos.12636 to 12638 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)Nos.12636 to 12638 of 2021

T.Srinivasan	... Petitioner (in W.P(MD) No.12636 of 2021)
T.S.P.Alexandar	... Petitioner (in W.P(MD) No.12637 of 2021)
B.Rajavelu	... Petitioner (in W.P(MD) No.12638 of 2021)
Vs.	

1. The State of Tamil Nadu,
Represented by Agricultural Production Commissioner
and Secretary to Government
Department of Agriculture,
Fort St.George, Chennai – 600 009.
2. The Director of Horticulture and Plantation Crops
Department of Horticulture and Plantation Crops,
III – Floor, Agriculture Complex,
Chepauk, Chennai – 600 005.
3. The Tamil Nadu Public Service Commission,
Represented by its Secretary,
Frazer Bridge Road,
VOC Nagar, Park Town,
Chennai – 600 003.

... Respondents
(in all writ petitions)



W.P.(MD).Nos.12636 to 12638 of 2021

WEB COPY

COMMON PRAYER : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioners dated 04.05.2021, 05.05.2021 and 06.05.2021 respectively to promote the petitioners herein as Deputy Director of Horticulture on par with their junior Thiru B.Anandhan, on and from 26.11.2020 with all monetary benefits accrued thereon and consequently direct the respondents herein to fix the seniority of the petitioners as per the Special Rules framed for the Horticulture Department in G.O.Ms.No.271, Agriculture (AA1), dated 27.11.2015 published in the Gazette dated 20.01.2016, given effect on and from 17th July 1979 on par with service rules framed for the Agriculture Department.

In all writ petitions:

For Petitioners	: Mr.K.Appadurai
For Respondents	: Mr.T.Villavan Kothai Additional Government Pleader For R1 and R2
	: Mr.J.Anand Kumar Standing Counsel – for R3



WEB COPY



W.P.(MD).Nos.12636 to 12638 of 2021

COMMON ORDER

The present writ petitions have been filed by the petitioners who are working as Assistant Horticulture Officers in the respondent Department.

2. According to them, no special Rules have been framed for the Horticulture Department to facilitate their promotion to the post of Horticulture Officer, especially, when they had acquired higher qualification. However, such Special Rules are available in the Agricultural Department. Pointing out the said anomaly, the petitioners herein have sent representations to the second respondent on 04.05.2021, 05.05.2021 and 06.05.2021 respectively. The second respondent has chosen to file counter and the third respondent has filed affidavit adopting the counter affidavit of the second respondent.

3. Heard the learned counsel appearing for the petitioners, the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Standing Counsel appearing for the third respondent.



W.P.(MD).Nos.12636 to 12638 of 2021

WEB COPY

4. In view of the limited scope of the prayer in the writ petitions, without going into the merits of the matter, this Court directs the second respondent herein to consider the representation of the respective writ petitioners on merits and in accordance with law and pass the orders within a period of eight weeks from the date of receipt of a copy of this order, in the light of the G.O.Ms.No.271, Agriculture (AA1), dated 27.11.2015 which came to force from 17.07.1979.

5. with the above said observations, these Writ Petitions stand disposed of There shall be no order as to costs.

03.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



W.P.(MD).Nos.12636 to 12638 of 2021

WEB COPY

To

1. The Agricultural Production Commissioner
and Secretary to Government Department of Agriculture,
Fort St.George,
Chennai – 600 009.
2. The Director of Horticulture and
Plantation Crops
Department of Horticulture and Plantation Crops,
III – Floor, Agriculture Complex,
Chepauk, Chennai – 600 005.
3. The Tamil Nadu Public Service Commission,
Represented by its Secretary,
Frazer Bridge Road,
VOC Nagar, Park Town,
Chennai – 600 003.



WEB COPY



W.P.(MD).Nos.12636 to 12638 of 2021

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)Nos.12636 to12638 of 2021

03.11.2023