



W.P.(MD).No.19505 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.19505 of 2021

S.Neethipathi

... 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 – 600 005.

3. The Joint Director of Agriculture,
Collectorate Complex,
Sivagangai – 630 562.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent i.e., the Director of Agriculture, Chennai to refix the petitioner's scale of pay in the cadre of Deputy Agriculture Officer as per the proposals sent by the Joint Director of Agriculture, Sivagangai, in his letter No.22508 க. எண்.பாநி3/3459/18, dated 19.04.2021 as per Government Letter No.22508/



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FR-1/2019-1, dated 03.09.2019 within a specified time frame and get the ratification from the Government and to send revised pension proposals to the Accountant General, Chennai within a specified time frame, that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The present writ petition has been filed by a retired Deputy Agricultural Officer, who attained superannuation on 31.07.2017 seeking a mandamus as against the second respondent to refix the petitioner's Scale of pay in the cadre of Agricultural Officer as per the proposal of the third respondent dated 19.04.2021.

2. According to the learned counsel appearing for the petitioner, there was a pay anomaly of junior getting more pay than the seniors with effect from 01.10.2010 in the post of Deputy Agricultural Officer in the revised scale of pay. Hence, he had given a representation to the third respondent herein to rectify the pay anomaly. The third respondent by his proceedings,



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dated 19.04.2021, had placed the proposal before the second respondent herein for passing orders along with all the connected records. So far, the second respondent has not passed any orders. Hence, the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. Considering the above said facts, the second respondent herein is directed to consider the proposal forwarded by the third respondent dated 19.04.2021 and pass orders on merits and in accordance with law after getting ratification from the first respondent. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

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NCC : Yes/No
Index : Yes / No

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Internet : Yes / No
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To

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