



W.A.No.47 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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- 1 P.Adhipathi
- 2 S.Sinduja
- 3 R.Kalaiselvi
- 4 A.Leelavathi
- 5 K.Theertharaman
- 6 U.Ulagusundaram
- 7 M.Deepa
- 8 M.Suruthi
- 9 M.Munirathinam
- 10 M.Neelagandan

.. Appellants

Vs

- 1 THE STATE OF TAMIL NADU
Rep. by its Principal Secretary cum
Agricultural Production Commissioner
Secretariat, Fort. St. George, Chennai-9.
- 2 The Director of Agriculture
Chepauk Chennai-600 005.
- 3 Tamil Nadu Public Service Commission
Rep. by its Secretary, TNPSC Road
Broadway, Chennai-3.

.. Respondents



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Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 28.11.2023 passed in W.M.P.Nos.33024 and 33026 of 2023 in W.P.No.33275 of 2023.

For the Appellants : Mr.Balan Haridas
for Mr.S.Parthasarathi

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 and 2

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

Heard Mr.Balan Haridas, learned counsel for the appellants; and Mr.P.Muthukumar, learned State Government Pleader, for respondents 1 and 2.

2. The appellants are challenging the non-grant of an absolute interim order.

3. Learned counsel for the appellants submits that the appellants are working as Agricultural Officers. The post of



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Agricultural Officer is a feeder cadre post for the post of Assistant Director. The number of sanctioned posts of Assistant Director is 454, whereas Agricultural Officers is 1099. The post of Assistant Director is always filled in by promotion and that is always understood by the authorities. Since 1979, the post of Assistant Director is always filled in by promotion. Now an advertisement is issued to fill in the post of Assistant Director by direct recruitment. The same was assailed before the learned Single Judge. However the learned Single Judge has failed to grant absolute interim order.

4. The learned Single Judge has kept the matter for hearing on 11.1.2024. The learned Single Judge has further observed that any appointment made pursuant to the impugned notification shall be subject to the final decision to be taken in the writ petition.

5. In the light of the above, the rights of the appellants are protected by the learned Single Judge.

6. As the learned Single Judge has already kept the matter for



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further hearing and, as contended by learned counsel for the appellants, as no further process has been undertaken for direct recruitment, we are not inclined to interfere with the order passed by the learned Single Judge.

The writ appeal is disposed of accordingly. All the contentions of the appellants are kept open. There shall be no order as to costs. Consequently, C.M.P.Nos.291 and 294 of 2024 are closed.

(S.V.G., C.J.)

(D.B.C., J.)

10.01.2024

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

- 1 The Principal Secretary cum
Agricultural Production Commissioner
State of Tamil Nadu
Secretariat, Fort. St. George, Chennai-9.
- 2 The Director of Agriculture
Chepauk Chennai-600 005.
- 3 The Secretary
Tamil Nadu Public Service Commission
TNPSC Road
Broadway, Chennai-3.



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

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