



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2024

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE C.KUMARAPPAN**

**W.A(MD)Nos.672, 673 and 674 of 2012
and
W.P(MD)Nos.2586 of 2009 and 6632 of 2010
and
M.P(MD)Nos.1,1,2 of 2012 and 1 of 2010 and 1 of 2011**

W.A(MD)No.672 of 2012

R.Rangarajan,
Superintendent Engineer,
Agricultural Engineering Department,
O/D.Irrigation Management,
Training Institute,
Thuvakudi,
Trichirappalli – 620 015.

... Appellant/Second Respondent

.Vs.

1.The State of Tamil Nadu,
represented by its
Agricultural Production Commissioner,
and Principal Secretary to Government,
Agriculture(AA4)Department,
Secretariat, Fort St.George,
Chennai – 600 009.

....Respondent/Ist Respondent



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2.R.Mani,

Executive Engineer,

Agricultural Engineering Department,

Ariyalur District.

... Respondent/Writ Petitioner

W.A(MD)No.673 of 2012

R.Rangarajan,

Superintenant Engineer,

Agricultural Engineering Department,

O/D.Irrigation Management,

Training Institute,

Thuvakudi,

Trichirappalli – 620 015.

... Appellant/Petitioner

.Vs.

1.The Agricultural Production Commissioner,
and Secretary to Government,
Agriculture Department,
Fort St.George,
Chennai – 600 009.

2.The Chief Engineer,
Agricultural Engineering Department,
Chennai.

3.M.Senthil
Now working as Superintending Engineer,
and Full Additional Charge of the Office of
the Chief Engineer,
Agricultural Engineering Department,
Nanthanam, Chennai – 600 035.

4.K.P.Ramakrishnan,
Now working as Superintending Engineer,



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and Full Additional Charge of the Office
of the Chief Engineer,
Agricultural Engineering Department,
(River Valley Project),
Nanthanam, Chennai – 600 035.

... Respondents/Repondents.

W.A(MD)No.674 of 2012

R.Rangarajan,
Superintenant Engineer,
(on medical leave),
Government Irrigation Centre,
Thuvakudi,
Trichirappalli – 620 015.

... Appellant/Petitioner

.Vs.

- 1.The Secretary to the Government,
Agriculture Department,
Secretariat,Fort St.George,
Chennai – 600 009.
- 2.The Chief Engineer,
Agricultural Engineering Department,
328, Anna Salai, Chennai -35.
- 3.The Tamil Nadu Public Service Commission,
represented by its Secretary,
Government Estate,
Chennai -600 002.
- 4.The Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat, Fort St.George,
Chennai – 600 009.



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5.R.Mani,
Son of Ramasamy,
114-A, Second Main Road,
Ganesh Nagar,
Trichy -19

... Respondents/Repondents.

W.P(MD)No.2586 of 2009

R.Rengaraj
Son of R.Rengasamy,
Superintending Engineer,
Agricultural Engineering Department,
Virudhunagar District. ...Petitioner

.Vs.

1.The Agricultural Production Commissioner and
Secretary to Government,
Agricultural Department,
Fort St.George,
Chennai – 600 009.

2.The Chief Engineer,
(Agriculture Engineer).
Agricultural Engineering Department,
Nandanam, Chennai.

3.R.Mani,
Son of Rmasamy,
114-A. Second Main Road,
Ganesh Nagar, Trichy -19.

(R3 is impleaded as party respondent as per order of this Court made in
M.P.No.1 of 2011, dated 26.6.2012) ... Respondents/Repondents.



WEB COPY **W.P(MD)No.6632 of 2010**

R.Rengaraj
Son of R.Rengasamy,
Superintending Engineer,
Agricultural Engineering Department,
Trichy(Now on Medical Leave)

...Petitioner

.Vs.

1.The Agricultural Production Commissioner and
Secretary to Government,
Agricultural Department,
Fort St.George,
Chennai – 600 009.

2.The Chief Engineer,
(Agriculture Engineer).
Agricultural Engineering Department,
Nandanam, Chennai.

3.P.Sundar

4.R.Mani.

(Respondents 3 and 4 are impleaded as party-respondents as per order of this Court made in M.P.Nos.2 and 3 of 2011, dated 26.06.2012)

....Respondents

COMMON PRAYER IN WRIT APPEALS: Writ Appeals filed under Clause 15 of Letters Patent Act praying this Court to set aside the orders passed by this Court in W.P(MD)Nos.1459 of 2012,12515 of 2011 and 8877 of 2010, dated



WEB CAM 3.8.2012.

PRAYER IN W.P(MD)No.2586 of 2009:Writ Petition filed under Article 226 of the Constitution of India, praying this Court for issuance of a Writ of Mandamus directing the first respondent to consider the Petitioner to the post of Chief Engineer as per the seniority drawn in the panel of Executive Engineer for the year 2004-2005 without referring to the order of the second respondent passed in e.Mu.Aa.No.ON2/41690/03, dated 10.10.2005 with all monetary and attendant benefits.

PRAYER IN W.P(MD)No.6632 of 2010:Writ Petition filed under Article 226 of the Constitution of India, praying this Court for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned orders of the first respondent passed in proceedings G.O.Ms(D).9, Agriculture (AE6), dated 27.01.2010 and the order of the second respondent proceedings in Se.Mu.Aa.No.Na.ON2/41690/03, dated 10.10.2005 and to quash the same and consequently to direct the respondent to promote the Petitioner to the post of Chief Engineer with all monetary and attendant benefits.

W.A(MD)No.672 of 2012

For Appellant : Mr.S.Ramsundarvijayaraj

For Respondent-1 : Mr.A.K.Manikkam
Spl.Govt. Pleader



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For Respondent-2 : No appearance

W.A(MD)No.673 of 2012

For Appellant : Mr.S.Ramsundarvijayaraj

For Respondents : Mr.A.K.Manikkam
1 and 2 Spl.Govt. Pleader

For Respondents : Mr.C.Mahadevan
3 and 4

W.A(MD)No.674 of 2012

For Appellant : Mr.S.Ramsundarvijayaraj

For Respondents : Mr.A.K.Manikkam
1,2 and 4 Spl.Govt. Pleader

For Respondents : No appearance
3 and 5

W.P(MD)No.2586 of 2009

For Petitioner : Mr.S.Ramsundarvijayaraj

For Respondents : Mr.A.K.Manikkam
1,2 and 4 Spl.Govt. Pleader



WEB COPY **W.P(MD)No.6632 of 2010**

For Petitioner	: Mr.S.Ramsundarvijayaraj
For Respondents 1 and 2	: Mr.A.K.Manikkam Spl.Govt. Pleader
For Respondents 3 and 4	:No appearance

COMMON JUDGMENT

DR.G.JAYACHANDRAN,J.
AND
C.KUMARAPPAN,J.

These Writ Appeals and Writ Petitions are filed in respect of refixation of the seniority of Assistant Engineers, who happened to be engaged under Rule 10(a)(i) of the Tamil Nadu Subordinate Service Rules(hereinafter called as “Rules”)and later, they have been regularized in the selection process conducted by the Tamil Nadu Public Service Commission.The claim of the persons to refix their seniority from the date of their appointment as temporary Assistant Engineers under Rule 10(a)(i) of the above Rules based on their subsequent promotions, were not considered favourably by the Government as well as by the



WEB COPY learned Single Judge of this Court.

2. When the order of the learned Single Judge came to be challenged before the Division Bench of this Court, the same was considered at length and the Division Bench had declined to entertain their request. Not being satisfied, Review Application was filed by one P.S.Jegannathan and in that Review Application, the Division Bench of this Court also taking note of the Writ Petitions filed by Rengarajan, who is the appellant in W.A(MD)No.672 of 2012, had categorically held that the merit list by the Tamil Nadu Public Service Commission as the valid basis and it is not as per the whims and fancies sought to be projected by the Petitioners and finally, rejected the Review Application in toto.

3. This issue, which is the subject-matter of Writ Appeals and Writ Petitions is no more res-integra and the order of the Division Bench passed in W.A(MD)No.237 of 2010 etc., batch, as confirmed in Review Application No. 126 of 2010 holds the field. Therefore, nothing survives for further adjudication in these Writ Appeals and Writ Petitions and accordingly, they are disposed of.



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There is no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[G.J.,J.] [C.K.,J.]
13.02.2024

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

To

W.A(MD)No.672 of 2012

The Agricultural Production Commissioner,
and Principal Secretary to Government,
Government of Tamil Nadu,
Agriculture(AA4)Department,
Secretariat, Fort St.George,
Chennai – 600 009.

W.A(MD)No.673 of 2012

1.The Agricultural Production Commissioner,
and Secretary to Government,
Agriculture Department,
Fort St.George,
Chennai – 600 009.

2.The Chief Engineer,
Agricultural Engineering Department,
Chennai.



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W.A(MD)No.674 of 2012

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Chennai – 600 009.
- 2.The Chief Engineer,
Agricultural Engineering Department,
328, Anna Salai, Chennai -35.
- 3.The Secretary,
Tamil Nadu Public Service Commission,
Government Estate,
Chennai -600 002.
- 4.The Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat, Fort St.George,
Chennai – 600 009.

W.P(MD)No.2586 of 2009

- 1.The Agricultural Production Commissioner and
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Agricultural Engineering Department,
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W.P(MD)No.6632 of 2010

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- 2.The Chief Engineer,
(Agriculture Engineer).
Agricultural Engineering Department,
Nandanam, Chennai.



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DR.G.JAYACHANDRAN, J.
and
C.KUMARAPPAN,J.

vsn

COMMON JUDGMENT MADE IN

W.A(MD)Nos.672, 673 and 674 of 2012

and

W.P(MD)Nos.2586 of 2009 and 6632 of 2010

and

M.P(MD)Nos.1,1,2 of 2012 and 1 of 2010 and 1 of 2011

13.02.2024