



W.P(MD)No.1414 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.1414 of 2024

and

W.M.P(MD)No.1447 of 2024

1.R.Manikandan

2.M.Mohana

3.N.Muthusamy

4.P.Deivendran

... Petitioners

Vs.

1.The Agriculture Production Commissioner and
Principal Secretary to the Government,
Agriculture – Farmers Welfare Department,
Fort St.George,
Chennai-9.

2.The Commissioner of Agriculture,
Chepauk,
Chennai-5.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from reverting the petitioners from the post of Assistant Director of Agriculture without considering the objections of the petitioners, dated 20.01.2024 within the time period stipulated by this Court.



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

ORDER

The present writ petition has been filed to forbear the respondents from reverting the petitioners from the post of Assistant Director of Agriculture without considering the objections of the petitioners, dated 20.01.2024 within the time period stipulated by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioners were appointed in the post of Agricultural Officer (Extension) in the year 2009 and they belong to 2007-08 batch of Agricultural Officer (Extension). The petitioners 1,2 & 4 belong to Schedule Caste Community and the 3rd petitioner belong to Schedule Tribe Community. The seniority of Agricultural Officer (Extension) for the year 2007-08 was finalized in the year 2009 itself. The Hon'ble Supreme Court in Contempt Petition (Civil)



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Diary No.6415 of 2021 in SLP (C) No.2886 of 2016 vide order, dated 18.04.2023 has held that the seniority would be based on communal rotation as revised by way of rearranging the seniority on the basis of marks obtained by the candidates. In view of the same, the seniority of the Agricultural Officer (Extension) was revised after a span of 12 years without providing any opportunity to the petitioners to file their objections. However, the petitioners have filed their objections, dated 20.01.2024. Despite giving their objections, dated 20.01.2024, the same was not considered. Hence, this writ petition came to be filed. The objection is specifically with respect to the fact that they should not be reverted from the post of Assistant Director of Agriculture until considering their objections in detail.

4. In view of the same, this Court direct the 1st respondent to consider the objections made by the petitioners, dated 20.01.2024 and pass appropriate orders in the light of the order passed by the Hon'ble Supreme Court in ***Contempt Petition (Civil) Diary No.6415 of 2021 in SLP (C) No.2886 of 2016, dated 18.04.2023***. I make it clear that, until then, no adverse orders should be passed as against the petitioners.



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5. With the above said observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

23.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

- 1.The Agriculture Production Commissioner and
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- 2.The Commissioner of Agriculture,
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L.VICTORIA GOWRI, J.

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