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W.P.(MD) No.7558 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.7558 of 2019

N.Rajendran

... Petitioner

-VS-

1.The Director of Agriculture Department
Chepauk, Chennai-600 005

2.The Joint Director of Agriculture
Ramanathapuram

3.The Assistant Director of Agriculture
R.S.Mangalam
Ramanathapuram District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent to release the monetary benefits with effect from 26.12.1988 as per the proceedings issued by the first respondent dated 07.09.2015 with all consequential benefits.



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For Petitioner : Mr.V.Panneer Selvam

For Respondents : Ms.D.Farjana Ghoushia
Special Government Pleader

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the first respondent to release the monetary benefits to the petitioner with effect from 26.12.1988, as per the proceedings of the first respondent dated 07.09.2015.

2. The petitioner claims that even though he was regularized in service by the order of the third respondent, dated 20.02.2007, he is entitled for monetary benefits with effect from 26.12.1988 being the date when he was granted time scale of pay. According to the petitioner, through the proceedings of the first respondent, dated 07.09.2015, similarly placed persons were granted the relief as sought for in this writ petition. The petitioner, under the aforementioned circumstances, gave a representation to the respondents seeking for the very same relief. Since the said representation was not considered, the petitioner has filed this writ petition.



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3. A counter affidavit has been filed by the respondents denying the contentions of the petitioner. However, no final orders were passed by the respondents in the petitioner's representation, which was given prior to the filing of this writ petition.

4. No prejudice will be caused to the respondents, if the petitioner is allowed to give a fresh representation to the first respondent seeking to release the monetary benefits to him with effect from 26.12.1988, as per the proceedings of the first respondent dated 07.09.2015 and a direction is issued to the first respondent to consider the said representation, on merits and in accordance with law, within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the petitioner to give a fresh representation to the first respondent seeking to release the monetary benefits to him with effect from 26.12.1988 as per the proceedings of the first respondent dated 07.09.2015, which has been placed on record before this Court, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the first respondent



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shall pass final orders on merits and in accordance with law, within a period of twelve weeks thereafter.

6. With the aforesaid directions, this writ petition is disposed of.

No costs.

26.09.2024

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

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To:

- 1.The Director of Agriculture Department,
Chepauk, Chennai-600 005.
- 2.The Joint Director of Agriculture,
Ramanathapuram.
- 3.The Assistant Director of Agriculture,
R.S.Mangalam,
Ramanathapuram District.



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ABDUL QUDDHOSE, J.

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