



WEB COPY

WP No. 9484 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 9484 of 2024
AND
WMP NO. 10484 OF 2024**

K.S.Rajangam

Petitioner(s)

Vs

1. The Agricultural Production
Commissioner
And The Principal Secretary to the
Government, Agricultural Engineering
Department, Fort St.George,
Chennai-600 001.

2.The Chief Engineer (AGHL EN)
Agricultural Engineering Department,
No.487, Anna Salai, Nandanam,
Chennai-600 035.

3.The Assistant Engineer (AGHL EN)
Agricultural Implement Work Ship
(TVR), No.2/104, Main Road,
Pavithramanickam, Elavangaragudi
Post-610 104 (via) Manakkal,
Ayyampettai, Thiruvavur District.

Respondent(s)

PRAYER; Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Certiorarified Mandamus to call for the records of the 1st respondent order dated 11.01.2022 vide its letter no. 13086 / Ve. Ne. 3(2) / 2020-12 and quash the same and consequently direct the 1st respondent to fix the petitioner in the Machinist Grade-1 post.



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For Petitioner(s): Mr.A.Murali
For Respondents: Mr.P.Ganesan
Additional Government Pleader

ORDER

This writ petition has been filed seeking to quash the order dated 11.01.2022 vide Letter No.13086/Ve.Ne.3(2)/2020-12 and for a consequential direction to the 1st respondent to fix the petitioner in the Machinist Grade I Post.

2. Heard Mr.A.Murali, learned counsel for the petitioner and Mr.P.Ganesan, Additional Government Pleader, appearing for respondents.

3. The case of the petitioner is that he was appointed as a Fitter in the 3rd respondent workshop and was subsequently promoted as Mechanist. The petitioner was permitted to retired from service voluntarily on 30.06.1998 and as per law, he is eligible to get bonus and other attendant benefits for the period of service rendered by him. On 11.03.1987, the Government of Tamil Nadu issued GO Ms.No.210, Personnel and Administrative Reforms (Personnel) prescribing guidelines for advancement to Selection grade, Special Grade in Various categories based on the recommendation of the Fourth pay commission. Relying on the said Government Order, the petitioner submitted a representation to the respondents on 05.02.2021 to the respondents, to re-fix his salary for Mechanist Grade I.



4. However, without considering the above said Government Order, the 3rd respondent rejected the petitioner's request for re-fixation on 29.07.2019. Consequent to the said order of the 3rd respondent, the 2nd respondent also passed an impugned order dated 13.01.2021. Aggrieved by the order passed by the 2nd respondent, the petitioner preferred an appeal before the 1st respondent.

5. Since no action has been taken on the appeal preferred by the petitioner, he was constrained to file WP No.17566 of 2021 before this Court and this Court vide order dated 23.08.2021 had directed the 1st respondent herein to dispose of the appeal within a period of three months from the date of receipt of the said order.

6. Thereafter, the 1st respondent rejected the claim made by the petitioner vide impugned order dated 05.02.2021, without considering the GO Ms.No.210 and 304. Left with no other option, the present has been filed the present writ petition challenging the impugned order passed by the 2nd respondent.

7. The learned Additional Government Pleader appearing on behalf of the respondents relying upon the counter affidavit, submitted that the petitioner



is not entitled for the grant of scale of pay as per GO MS No.304 dated 28.03.1990 pertaining to the post of Machinist Grade I post. It was contended that only the post of Machinist Grade II post was sanctioned and that the petitioner at the time of his retirement had worked only in the Grade II post. The learned counsel further submitted that the scheme of bonus increment was introduced vide GO Ms.No.562 Finance (Pay Cell) Department dated 28.10.1998 w.e.f 01.09.1998. Since the petitioner had retired voluntarily prior to the introduction of scheme, he is not entitled to claim the said benefits thereunder.

8. In view of the foregoing discussion and upon careful consideration of the submissions made by the learned counsel on either side and the materials placed on record, this Court finds no infirmity or illegality in the impugned orders passed by the respondents. The petitioner has failed to establish any statutory or legal right for the relief sought for, and no grounds are made out for interference under Article 226 of the Constitution of India. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions, if any, are closed.

11-12-2025

Rli



Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

To

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