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W.A No. 2854 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.A No. 2854 of 2025

and C.M.P.Nos.23052 of 2025

1.The Agriculture Production Commissioner
and Principal Secretary to Government, Agriculture-
Farmers Welfare Department Secretariat,
Chennai- 600 009.

2.The Director of Agriculture
Chepauk, Chennai 5

..Appellants

Vs

N. Vinayagamoorthi
S/o.late M. Nagamuthu, 87-, 2nd Main Road, Devaraya
Nagar, Trichy 620 021.

..Respondent

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 12.7.2024 made in WP.No. 19336/2024.

For Appellants: Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.S.John J.Raja Singh
Additional Government Pleader

For Respondent : No appearance



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JUDGMENT

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This writ appeal has been filed against the order passed by the Writ Court dated 12.07.2024 in W.P.No.19336 of 2024.

2. In fact, that was a common order passed by the writ Court, which is impugned herein, as against which already number of writ appeals have been filed. A Division Bench of this Court (where one of us R.Suresh Kumar, J. was a party), had an occasion to consider the issue in **W.A.Nos.11, 15 of 2025 etc., batch (The Agricultural Production Commissioner and Principal Secretary to Government and another -vs- Dr.A.Nazar.**

3. In the said judgment of the Division Bench dated 28.01.2025, we have already given certain directions and observations, which reads thus:

V. Conclusion:-

10.1. Therefore, we are not in agreement with the reasoning given by the Writ Court, as well as the conclusion arrived at by the learned Single Judge through the impugned order for all the reasons we have discussed herein above.

10.2. We are also informed that pursuant to the interim order passed by our predecessor Division Bench by the order dated



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14.11.2024 as well as on 19.11.2024, the appellant Government/Department of Agriculture has completed the process of giving promotion to 32+5, wherein 32 posts for Extension wing and 5 posts for Research wing and such promotional orders have been issued on 19.11.2024, which have also been placed before this Court for our perusal.

10.3. Pursuant to the promotional orders, all the promotees have joined in the promotional posts and they have been working. Therefore, the order impugned herein certainly would be erroneous and hence, is liable to be interfered with at our hands. Resultantly, the impugned common order stands set aside.

11.1. Though the claim now made by the respondents/writ petitioners in this batch of lis has been denied by virtue of allowing these writ appeals and the promotees, who belong to the Extension wing, have also been given promotion to the post of Joint Director of Agriculture, the fact remains that many of these incumbents belonging to the Research wing are seniors to the Officers of the Extension wing.

11.2. The Government cannot be short of sight on these facts which are always sighting at them. The reason being that, the very purpose of bringing G.O.No.537 itself is to give a functional merger to utilize the services of the Officers belonging in both the wings. By virtue of that, the Officers of the Research wing have been inducted into the Extension wing and they have also been working in the Extension wing for several years. Thereby, the very rich experience can be claimed by both the wings, as they have worked in both wings.



11.3. Especially, the Officers of the Research wing, more in numbers, have been working in the Extension wing. When that being so, their expertise shall be best used by the Agriculture Department, but, when promotion is opted for higher posts, the seniority, being the prime criteria, cannot be given a go-by. Therefore, it is high-time for the Government of Tamil Nadu, especially the Agriculture Department, to come forward to rectify this anomaly by reviewing the policy decision taken in the year 2007, as reflected in G.O.No.537.

12.1. While reviewing the policy decision, it is also open to the State Government to fix a quota rota rule in cyclic form, between these two wings, namely the Extension wing and the Research wing. Depending upon the cadre strength of each of the wings, the quota rota rule can be fixed.

12.2. Suppose, in one particular Panel Year, the number of posts are very minimum or in single digit, the quota rota rule, to be fixed, may become incapable to implement. In that particular Panel Year, the cyclic system can be adopted. For instance, if the quota rota is fixed in 2:1 ratio and if there are only two Joint Director posts for a particular Panel Year, in cyclic system, it can be given to the Extension wing. For the next Panel Year, whatever the number of posts comes in the same cadre, in the cyclic system, the next post will automatically go to the Research wing. By thus, the 2:1 quota rota rule, by way of cyclic system, can easily be implemented.

12.3. If this system is adopted, it will certainly minimize or reduce the heartburns of both these wings, as the incumbents in the feeder category would get a chance of getting promotion in their respective wings itself. This can be made possible even till the last



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person who entered into service prior to the issuance of G.O.No.537 retire from service and thereby, the issue would be taken care of.

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13. This suggestion of ours is expected to be taken in right sense by the State Government and the Department of Agriculture and if this is implemented, by making necessary amendments to G.O.No.537 or by issuance of a fresh Government Order before the next Panel Year, ie., for 2025-26, that would be widely appreciated by all concerned.

14. With these observations and suggestions to the Government, we allow these writ appeals to the terms indicated herein above. There shall be no order as to costs. Consequently, C.M.P.Nos.33, 65 & 1192 of 2025 and 25558, 27654, 25581, 27655, 25524, 27656, 25949, 27657, 26352, 27659 & 27755 of 2024 are closed."

4. In view of the said order having been passed by the Division Bench against the very same order impugned in this writ appeal, this writ appeal is also disposed of in the same lines as that of W.A.Nos.11 and 15 of 2025 etc., batch dated 28.01.2025. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (H.C.,J.)
06-10-2025

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

KST



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To

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and Principal Secretary to Government, Agriculture-Farmers Welfare
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- 2.The Director of Agriculture
Chepauk, Chennai 5



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**R.SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.**

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