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W.P.No.311 of 2015



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.311 of 2015

D.Rajendran,
Assistant Executive Engineer
(Agri.Engg) Retired,
G2, Ram Ganesh Flats,
No.5, Nalla Thambi Road,
Pammal, Chennai - 600 075.

...

Petitioner

versus

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

2.The Chief Engineer, (Agri.Engg.),
487, Anna Salai,
Nandanam, Chennai - 600 035.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to quash the communication dated 10.06.2014 issued by the second respondent in letter No.Po.Nee.2/7052/2014 dated .06.2013 signed on 10.06.2014 and consequently direct the respondents to fix the petitioner seniority on the basis of the first appointment of the petitioner on 03.03.1983 and give a



notional promotion as Assistant Executive Engineer and par with M.Rajkumar with all consequential monitory benefits including arrears.

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For Petitioner : Mr.N.S.Nandakumar
Mr.N.Krishnakumar
For Respondents : Mr.P.Ananda Kumar
Government Advocate

ORDER

This writ petition is filed challenging the orders of the second respondent dated 10.06.2014 and for a consequential direction to fix the petitioner's seniority and grant notional promotion as Assistant Executive Engineer.

2. Today when the matter is taken up for hearing, Mr.P.Ananda Kumar, learned Government Advocate appearing for the respondents by producing a copy of the Government Order in G.O.(D)No.220 Agriculture (AA3) Department dated 10.12.2020 submitted that, the benefits sought for by the petitioner had already been considered and granted in view of the approval and thereby the petitioner's seniority had been restored and he had also been included in the 2005-2006 panel for the post of Assistant Executive Engineer.

3. The relevant portion of the above said Government Order is extracted hereunder:-



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“6. The Government have examined the proposal of the Chief Engineer (Agricultural Engineering) carefully and accordingly direct to restore the seniority of Thiru.D.Rajendran, Assistant Executive Engineer (Agricultural Engineering) (Retd.) in 2005-2006 year panel for the post of the Assistant Executive Engineer (Agricultural Engineering) in the revised order issued in G.O.(D).No.268, Agriculture (AA3) Department, dated 27.10.2017, by placing his name below the name of his immediate senior Thiru.K.Dhanraj (Sl.No.17) and above the name of his immediate junior viz., Thiru.A.Krishnamoorthy (Sl.No.18) i.e., by assigning Sl.No.17(A) to Thiru.D.Rajendran, by relaxing of rule 2(b) of the Special Rules for the Tamil Nadu Agricultural Engineering Service in favour of the individual, so as to include his name (to restore his seniority) in the panel of Assistant Executive Engineer (Agricultural Engineering) for the year 2005 - 2006. The details are as follows:-

Seniority No. in the panel year 2007-2008	Name of the Officer	G.O. No. and dated promoted as AEE (AE)	Revised Seniority No.
19 (a)	Th D.Rajendran	G.O.(Ms)No.246, Agriculture (AA3) Department, dated 05.08.2008 (Panel for the year 2007-2008)	Moved to Sl.No.17(A) in G.O.(D).No.268, Agriculture (AA3) Department, dated 27.10.2017 (Revised panel for the year 2005-2006)

4. The learned Government Advocate further submitted that in view of the approval by the Government in G.O.(D)No.220 Agriculture (AA3) Department dated 10.12.2020, the consequential order has also been passed.

5. Since the issue sought for in the present Writ Petition has become infructuous, this Writ Petition is ***dismissed as infructuous***.



6. There shall be no order as to costs.

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Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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G.ARUL MURUGAN, J.

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