



W.P.No.9354 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 13.11.2025

PRONOUNCED ON : 21.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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J.Radhakrishnan

... Petitioner

Vs.

1. The Government of Tamil Nadu  
Rep. By the Commissioner for  
Agriculture Production and  
Principal Secretary to Government  
of Tamil Nadu,  
Agriculture and Farmer's Welfare Department,  
Secretariat, Chennai – 600 009.

2. The Chief Engineer,  
Agricultural Engineering Department,  
487, Anna Salai,  
Nandanam, Chennai – 600 035.

3. N.Chithambara Chithra

4. N.Rubalatha

5. T.Kannan

(R3 to R5 Impleaded as per  
order dated 10.06.2024 made  
in W.M.P.No.12007 of 2024  
in W.P.No.9354 of 2024)

6. N.Baskaran

7. V.S.Pushpanathan

8. R.H.Annadurai



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9. G.Rooban Kumar  
(R6 to R9 Impleaded as per  
order dated 31.01.2025 made  
in W.M.P.No.25876 of 2024  
in W.P.No.9354 of 2024)

10. A.Divyanathan  
11. K.Ramesh  
12. A.Kumanavel  
13. M.Velmurugan  
14. P.Senapathi  
(R10 to R14 Impleaded as per  
order dated 31.01.2025 made  
in W.M.P.No.34535 of 2024  
in W.P.No.9354 of 2024)

15. C.Ezhilan  
16. S.Ganesan  
(R15 & R16 Impleaded as per  
order dated 24.03.2025 made  
in W.M.P.No.22393 of 2024  
in W.P.No.9354 of 2024)

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the claim of the petitioner in regard to proper fixation of his seniority in the appropriate place in the cadre of Assistant Engineer (Agricultural Engineering) in the Agricultural Engineering Department as on 01.01.2022, in accordance with law and to consequently direct the respondents to include the name of the petitioner in the appropriate place in the temporary panel for promotion as Assistant Executive Engineer (Agricultural Engineering) for the year 2021-2022 and to promote him to the said post with all consequential benefits.



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For Petitioner : Mr.M.Ravi  
For Respondents  
For R1 & R2 : Mr.R.U.Dinesh Rajkumar  
Additional Government Pleader  
  
For R3 : Mr.P.K.Sabapathi  
  
For R6 to R9 : Mr.K.Venkataramani  
Senior Counsel  
For Mr.M.Muthappan  
  
For R10 to R14 : Mr.S.Madhu Balaaji  
  
For R15 & R16 : Mr.L.Sivakumar

### **ORDER**

This writ petition has been filed for direction directing the respondents to consider the claim of the petitioner with regard to proper fixation of his seniority in the appropriate place in the cadre of Assistant Executive Engineer (Agriculture Engineering department) as on 01.01.2022 in accordance with law.

2. The petitioner was initially appointed as Assistant Engineer in the Agriculture Engineering Department by virtue of the government order in G.O.Ms.No.417 Agriculture (AIII) Department, dated 06.10.1997. The petitioner joined the service on 12.05.1998 and he was regularized from the date of his joining. Thereafter, the second



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respondent published the provisional seniority list of the Assistant Engineer and also called for objections, if any. The petitioner's name was placed in Sl. No.581 in the seniority list. But it was not fixed on the basis of the merit ranking among the selectees, it was rather placed on the basis of the communal roster followed at the time of selection. Since the petitioner's rank was fixed in the lower level, the petitioner submitted representation to revise the seniority list and re-fix the petitioner's seniority in the proper place.

3. The learned counsel appearing for the petitioner submitted that the date of joining shall be taken into account for the purpose of inter-se seniority among the persons who have been appointed to a particular post from more than one method of recruitment. But the third respondent, who was appointed in the year 2000, was placed above the several persons. Therefore, the respondents ought to have fixed the seniority list on merit ranking. In fact, after publishing the seniority list, the petitioner raised objection and even after the receipt of the same, no order has been passed so far. However, the third respondent was fixed above the petitioner by taking into account the date of her appointment i.e., 13.05.1998, instead of her actual date of joining i.e., on 04.09.2000.



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As of now her seniority has been placed in Sl. No.512 and the petitioner's seniority has been placed at Sl. No.581. Hence, he prayed to allow this Writ Petition.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. While pending the writ petition, the respondents 3 to 16 were impleaded in the Writ Petition. On perusal of the counter affidavit filed by the third respondent and on the submission made by the learned counsel appearing for the third respondent, it is revealed that in the year 1997, the third respondent had participated in the interview for the appointment to the post of Assistant Engineer. Though she was selected and was eligible to be appointed, she was not appointed to the said post. Therefore, she approached the Tamil Nadu Administrative Tribunal in O.A.No.7187 of 1998 and the Tribunal passed an order on 16.05.2020, thereby directing the State Government to appoint the third respondent herein to the post of Assistant Engineer and to give her appointment with effect from the date of her immediate junior's appointment. Such notional appointment is ordered only for the purpose of seniority, increment etc.,



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and not for claiming arrears of salary. In pursuant to the order passed by the Tribunal, the government passed order in G.O.Ms.No.320 Agricultural (AIII) Department, and ordered to appoint the third respondent notionally from the date of her immediate junior's appointment in the post of Assistant Engineering. She was also entitled to salary on par with her immediate junior.

6. Accordingly, the third respondent had joined duty to the post of Assistant Engineer on 04.09.2000. In the seniority list, she was placed in Sl. No.93. Therefore, the third respondent submitted representation to the second respondent for fixation of her seniority in the appropriate place in pursuant to the directions issued by the Tamil Nadu Administrative Tribunal. As directed by the Tamil Nadu Administrative Tribunal, the government fixed the seniority of the third respondent as Sl. No.26A, above her immediate junior and below her senior. Thereafter, the third respondent was appointed as Assistant Executive Engineer on 13.02.2024 and later she was promoted to the post of Executive Engineer on 13.12.2024.



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7. On perusal of the counter filed by the second respondent and on the submissions made by the learned Additional Government Pleader, it is revealed that, as per the government order in G.O.(Ms)No.417 Agricultural (AA-III) Department dated 06.10.1997, 21 persons who were engaged as Irrigation Community Organizers were appointed as Assistant Engineers. Subsequently, the Chief Engineer accorded permission to recruit the remaining 79 persons as Assistant Engineer on 10(a)(i) basis by the proceedings dated 06.05.1998, temporarily, by following the rule of reservation through employment exchange. Subsequently, they were regularized in their respective posts.

8. Admittedly, as directed by the Tamil Nadu Administrative Tribunal, the third respondent was appointed and was placed in between her immediate junior and senior. Accordingly, the draft provisional seniority list was published and the third respondent was fixed at Sl.No.530 and the petitioner's seniority was fixed at Sl.No.581. Therefore, after the seniors of the petitioner were promoted to the higher post and whenever the petitioner comes to the zone of consideration for promotion, he will be promoted to the higher post.



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WEB COPY 9. In view of the above discussions, the directions sought for in this writ petition cannot be granted as the Writ Petition itself is devoid of merits and is liable to be dismissed. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

21.11.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order

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WEB COPY To

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Agriculture Production and  
Government of Tamil Nadu,  
Principal Secretary to Government  
of Tamil Nadu,  
Agriculture and Farmer's Welfare Department,  
Secretariat, Chennai – 600 009.
2. The Chief Engineer,  
Agricultural Engineering Department,  
487, Anna Salai,  
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**G.K.ILANTHIRAIYAN. J.**

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