



WEB COPY



WA No. 1927 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1927 of 2023

O.Arumugam
S/o.Ocha Thevar, No.17, Gangaianman Koil St,
Kanakoil Pettai, Thirukazhukundram Post,
Kancheepuram District-603 109.

..Appellant

Vs

1. The Commissioner of Agriculture
Office of Commissioner of Agriculture,
Ezhilagham, Chennai - 600 005.
2. Joint Director Of Agriculture
Office of the Joint Director of Agriculture, Office
of the Joint Director of Agriculture,
Kancheepuram
3. Assistant Director Of Agriculture
Thiruporur, Kancheepuram District

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 01.02.2022 passed in WP.No. 24007 of 2015.

For Appellant :

Mrs.M.E.Raniselvam

For Respondent(s):

Dr.R.Gouri
Government Counsel – for R1 to R3



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Judgment

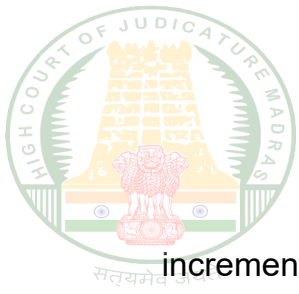
WEB COPY (Judgment of the Court was delivered by S.M.Subramaniam J.)

The order dated 01.02.2022 passed in W.P.No.24007 of 2015 is under challenge in the present intra court appeal.

2. The petitioner lastly held the post of Deputy Agricultural Officer and retired from service on attaining the age of superannuation on 31.10.2014. Since the appellant has not passed the requisite departmental examination, increments due to him were not sanctioned. Thus the appellant filed the writ petition after his retirement.

3. The Writ Court has considered the issue and made a finding that for grant of any further increment in violation of the Rules, the Government has to grant relaxation and such rule relaxation cannot be granted by the High Court in exercise of the powers of judicial review. On the said ground, the writ petition came to be dismissed.

4. The power of relaxation is conferred on the Government and it is to be exercised sparingly to mitigate if any injustice occur and the Rules cannot be relaxed by the Government in a routine manner. The High Court in exercise of powers of judicial review cannot relax the rules regarding acquisition of requisite departmental qualification which is necessary for further promotion or grant of



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increments. The appellant availed ten opportunities during his service and appeared for the departmental examination, but was unsuccessful. However, the learned counsel for the appellant would submit that he cleared one examination, which would be insufficient.

5. For all these reasons, this Court does not find any infirmity in the writ order impugned in this appeal. The writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (N.S.,J.)
04-06-2026

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

KST

To

1. The Commissioner of Agriculture
Office of Commissioner of Agriculture,
Ezhilagh, Chennai - 600 005.
2. Joint Director Of Agriculture
Office of the Joint Director of Agriculture, Office
of the Joint Director of Agriculture,
Kancheepuram
3. Assistant Director Of agriculture
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**S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.**

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