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W.A.No.1225 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No. 1225 of 2022

K.Sait Mohammed

...Appellant

Vs.

1.The Agricultural Production Commissioner &
The Principal Secretary to Government,
Agricultural Department,
Fort St. George, Chennai – 600 009.

2.The Director of Agriculture,
Chennai – 600 005.

3.The Joint Director of Agriculture,
Trichirapalli – 600 005.

...Respondents

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order passed by this Court in W.P.No.6783 of 2014 dated 17.12.2020 with costs.

For Appellant : Mr.M.Vijaya Kumar

For Respondents : Mr.Haja Nazirudeen,

Addl. Advocate General

assisted by Mr.M.Rajendiran,

Addl. Govt. Pleader



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J U D G M E N T

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

Under assail is the writ order dated 17.12.2020 passed in W.P.No.6783 of 2014.

2. The writ petitioner is the appellant before this Court. The cause arose for filing of the Writ Petition in view of the order passed by the Government vide letter dated 22.08.2013. A perusal of the said Government letter would show that the petitioner filed W.P.No.32877 of 2012 to dispose of his representation dated 12.08.2012. The High Court passed an order directing the Government to consider the representation dated 12.08.2012 and pass appropriate orders on merits and in accordance with law within a period of eight weeks. Subsequently the impugned order in Writ proceedings dated 22.08.2013 came to be issued.

3. A reading of the said Government letter would reveal that the appellant was appointed as Agricultural Officer on 24.10.1983. A charge memo was issued on 26.04.1991. The disciplinary proceedings ended with an order of punishment on 27.11.1997 imposing a punishment of stoppage of increment for two years without cumulative effect for which currency of punishment lasted from 01.07.1998 to 30.06.2000. In view of the currency of punishment, Selection Grade was not awarded to the appellant. However,



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subsequently Selection Grade was awarded to the appellant with effect from 01.01.2001 by the Commissioner of Agriculture.

4. With reference to issuance of charge memo and imposition of punishment, the learned Additional Advocate General would submit that the present Writ Appeal is second round of litigation. The writ petitioner earlier filed Writ Petition in W.P.No.24114 of 2006 challenging the Government letter dated 10.04.2006 and to grant Selection Grade to the appellant retrospectively with effect from 24.10.1993, if not atleast from 01.01.1994, the date on which the appellant completed 10 years of service from his initial date of appointment.

5. The Writ Petition was disposed of with a direction that the appellant was not given annual increment even after completion of punishment period, the 2nd respondent is bound to consider and sanction the increment. The appellant was permitted to make a representation before the Director of Agriculture within a period of two weeks and the said representation was directed to be considered. Not satisfied with the above Writ order, the appellant herein filed Writ Appeal in W.A.No.2270 of 2011. The Division Bench has passed final orders on 10.12.2011 affirming the order of the writ Court dated 02.08.2010. The Division Bench has recorded that the punishment imposed remained effective till the year 2000 on account of



currency of punishment, Selection Grade benefit was granted to the appellant with effect from 01.01.2001. Thus the issue reached finality at that point of time. Therefore, submitting further representation may not arise at all. The petitioner reached the age of superannuation on 31.01.2019 and allowed to retire from service.

6. Once the issues have reached finality, reopening the same issue by submitting representation, securing orders from the writ Court to dispose of the representation would result in multiplicity of proceedings and would not serve to the cause of justice. If at all the person is aggrieved from any order of the Writ Court or the Writ Appellate Court, he has to prefer an appeal and not representation after some time. Re-litigating the issue is opposed to the principles of law.

7. Even on merits, in the present case, the petitioner was appointed in the year 1983 and charge memo was issued in the year 1991, which ended with an order of punishment. The punishment became final and the currency of punishment was taken into consideration for grant of Selection Grade. However, subsequently benefit of Selection Grade was granted in 2001, which was confirmed by the Hon'ble Division Bench of this Court in W.A.No.2270 of 2011 dated 10.12.2011. That being the factum, the present litigation is nothing but a re-litigation, which deserves no merit consideration.



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8. Consequently, the writ order in W.P.No.6783 of 2014 dated 17.12.2020 stands confirmed and the Writ Appeal is **dismissed**. No costs.

(S.M.S., J.) (C.K., J.)
19.01.2026

dsa

Index :Yes/No

Neutral Citation :Yes/No

Speaking/Non-speaking order

To

1.The Agricultural Production Commissioner &
The Principal Secretary to Government,
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Fort St. George, Chennai – 600 009.

2.The Director of Agriculture,
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and
C.KUMARAPPAN, J.

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