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W.A.No.176 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE N. SENTHILKUMAR

W.A.No.176 of 2026

1. The Agricultural Production Commissioner
and the Secretary to Government
Agriculture (Ve.nee 5) Department
Fort St. George, Chennai – 600 009.
2. The Director of Agriculture
Chepauk, Chennai – 600 005. .. Appellants

Vs.

K. Harikrishnan .. Respondent

Prayer: Appeal filed under Clause 15 of the Letters Patent, against the order dated 14.02.2025 made in W.P.No.15587 of 2018.

For the Appellants : Mr.S.Yashwanth
Additional Government Pleader

For the Respondent : Mr.K.Rajkumar

JUDGMENT

(Judgment of the Court was made by R.SURESH KUMAR, J.)

The respondent/writ petitioner got promoted as Assistant Director in the year 2007-08, thereafter, in the year 2013-14, he has been promoted as Deputy Director. The next promotional avenue is Joint Director of Agriculture, for which, he became eligible on the crucial date, that is on 01.04.2017.



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2. His name has been included in the panel and it has been sent for formal approval of the Government, however, the Government has approved the panel only on 19.07.2017, before which, on 30.06.2017, since the respondent/writ petitioner superannuated, the post of Joint Director has been denied to him.

3. As against the same, he approached the Writ Court and the Writ Court, having considered the eligibility of the respondent/writ petitioner, as he became eligible to become the Joint Director of Agriculture as on the crucial date of 01.04.2017 and his name has been included in the panel, denial to him even of notional promotion because of the administrative delay caused by the approving authority cannot be accepted, therefore, the learned Judge allowed the writ petition through the order impugned dated 14.02.2025 made in W.P.No.15587 of 2018.

4. We have heard *Mr.S.Yashwanth*, learned Additional Government Pleader appearing for the appellants.



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5. As has been rightly held by the learned Judge of the Writ Court, the respondent/writ petitioner has become eligible to be considered for promotion to the post of Joint Director of Agriculture as on 01.04.2017 and rightly, he has been included in the panel as stated, however, the Government took some time, which being an administrative delay, in approving the panel.

6. As they have made approval only on 19.07.2017, such a delay caused in approving the panel cannot be attributable on the respondent/writ petitioner, as his right of consideration for promotion since has accrued as on 01.04.2017. Therefore, denial to him even of notional promotion for the simple reason that, since he retired on 30.06.2017 on superannuation and the panel was approved only on 14.07.2017, he was not entitled to get such notional promotion cannot be accepted, therefore, such position factually has been considered by the Writ Court in a proper perspective and accordingly, relief has been granted through the order impugned, which we are in full agreement with the view taken by the learned Judge in the order impugned.



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7. As a result, the writ appeal fails and hence, it is dismissed.

However, there shall be no order as to costs. The order passed by the Writ Court shall be complied with by the appellant Department within a period of eight weeks from the date of receipt of a copy of this order. Consequently, C.M.P.No.1591 of 2026 is closed.

(R.S.K., J.) (N.S., J)
10.03.2026

Speaking Order/Non-Speaking Order
Index:Yes/No
Internet:Yes/No
Neutral Citation:Yes/No

(drm)



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R. SURESH KUMAR, J.
AND
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