



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A.No.27 of 2015
and
M.P.No.1 of 2015

1.State of Tamil Nadu

rep by its Secretary to Government,
Animal Husbandry Department,
Secretariat,
Chennai-600 009.

2.The Director of Animal Husbandry and
Veterinary Services,
Chennai-600 006.

.. Appellants/Respondents

Vs.

K.Shanmugam

.. Respondent/Petitioner

This writ appeal is preferred under Clause 15 of the Letters Patent against the order of this court dated 28.08.2012 made in W.P.No.20962 of 2012. Petition under Article 226 of the constitution of India to issue a writ of Mandamus directing the respondents to consider and appoint the petitioner as Animal Husbandry Assistant by extending the benefit of the order dated 20.10.2011 in Writ Petition No.6963 of 2007 of this Honourable Court and after considering his request dated 25.10.2011 with all attendant benefits including seniority and monetary benefits and award costs

For Appellants : Mr.N.Sakthivel, GA

For Respondent : Ms.B.Radhika
for M/s.NA.Thara
JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

The instant intra-court appeal arises from the order dated 28.08.2012 passed in W.P.No.20962 of 2012.



2. Heard the learned counsel for both parties. The issue involved herein is as to whether the writ petitioner working as part time Animal Husbandry Assistant is entitled to be regularised on completion of 10 years in view of the order dated 20.10.2011 rendered in W.P.No.6963 of 2007. The learned Single Judge, referring and relying on the said order, allowed the writ petition directing the respondents therein to appoint the writ petitioner if he satisfies all other requirements including qualification etc.

3. The identical issue arising from the aforesaid order, came into consideration before this Court in C.Lakshmi Vs. Government of Tamil Nadu, rep by Secretary to Government, Home Department, Chennai and others [W.A.No.2911 of 2012, etc. batch]. A division bench of this Court by order dated 10.07.2014, allowed the writ appeals filed by the State Government. Thus the issue involved herein is no longer res integra and as such, the appeal is squarely covered by the decision in C.Lakshmi's case (supra). The appeal is, accordingly, allowed in the same terms. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vvk

To

- 1.The Secretary to Government,
State of Tamil Nadu
Animal Husbandry Department,
Secretariat,
Chennai-600 009.
- 2.The Director of Animal Husbandry and
Veterinary Services,
Chennai-600 006.

+ 1 cc Government Pleader Sr.18988

Ug(CO)
EU 27.04.2015

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