

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14085 of 2016

Dr.S.Nalini

...Petitioner

.Vs.

1 The Secretary to Government,  
Animal Husbandry,  
Dairying and Fisheries Department,  
Secretariat, Chennai 600 009.

2 The Director of Animal  
Husbandry and Veterinary Service,  
Central Office Building Block II,  
Chennai 600 006.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1<sup>st</sup> Respondent to dispose of the petitioner's representation dated 29/06/2015 and to consider and pass orders on the representation given by the petitioner.

For Petitioner : Mr.P.S.Jayakumar

For Respondents : Mr.S.Gunasekaran,  
Additional Government Pleader

ORDER

Dr.S.Nalini, who was selected to the post of Junior Veterinary Assistant Surgeon, in the year 2009, through the Tamil Nadu Public Service Commission and appointed as Junior Veterinary Assistant Surgeon at Munnaval Kottai in Thiruvarur District, was not able to join duty, due to health grounds viz., test tube baby treatment in Thanjavur Medical College. Subsequently, since the petitioner had already registered her name in the Employment Exchange, on the basis of seniority and communal rotation through employment exchange, she was appointed by the 2<sup>nd</sup> respondent on 17.05.2012 under General Rule 10(a)(i), as Veterinary Assistant Surgeon at Veterinary Dispensary in Dindigul District. Now, the grievance of the petitioner is that her service should be regularized from the date of original appointment dated 15.02.2010.

2.This Court is not able to find any merit on her submissions, for the reason that after she was selected and appointed as Veterinary Assistant Surgeon at Munnaval Kottai in Thiruvavarur District on 15.02.2010, she did not join duty due to health grounds and thereby, she has given up the posting order. Admittedly, again, she was selected as Veterinary Assistant Surgeon, on the basis of the employment seniority and the communal rotation, by the 2<sup>nd</sup> respondent on 17.05.2012 under General Rule 10(a)(i). Therefore, the petitioner cannot seek for any relief, since she has not worked and accepted to join duty, when she was given posting order on 15.02.2010. Therefore, the representation given by the petitioner cannot be considered.

Accordingly, this Writ Petition is dismissed. No costs.  
mps

s/d-  
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

- 1 The Secretary to Government,  
Animal Husbandry,  
Dairying and Fisheries Department,  
Secretariat, Chennai 600 009.
- 2 The Director of Animal  
Husbandry and Veterinary Service,  
Central Office Building Block II,  
Chennai 600 006.

+ 1 cc to Mr.P.S.Jayakumar, Advocate, SR 23758

+ 1 cc to Govt.Pleader, High Court, Madras SR 23890

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