

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.09.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.32246 of 2016

G.Palani

... Petitioner

vs.

The Commissioner,
Animal Husbandary and Veterinary Service Department,
Central Office Building,
Block-II, D.M.S.Complex,
Chennai-600 006

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to consider the representation of the petitioner dated 12.10.2015.

For Petitioner : Mr.Karan and Uday
For Respondent : Mr.R.Rajeswaran
Special Government Pleader

O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondent to consider the representation of the petitioner dated 12.10.2015.

3. It is the case of the petitioner that the petitioner has undergone B.A.Economics and registered his name in Employment Exchange. On 08.06.2010, the petitioner name was sponsored through Employment Exchange for the post of veterinary inspector in the respondent office vide Letter No.55647/E2/08 dated .05.2010. The petitioner was informed that he will be appointed as Veterinary Inspector as soon as the selection list will be prepared. Whiles, on 04.12.2009, the respondent herein called for the post of 174 Veterinary Inspectors. Out of which, only 154 posts were filled up, the remaining 16 posts were kept vacant. Since the petitioner's name was not included in the said selection list, to find out the status the

petitioner sought information under Right to Information Act and came to know that 16 persons who have been in the waiting list have been given appointment leaving the person who have been in the selection list.

4. The main contention of the petitioner is that if the respondent has not prepared the waiting list the petitioner will be automatically selected as Veterinary Inspector in the respondent office. From the date of appointment the petitioner is approaching the respondent to provide employment in any one of his office. But as of now his name was not considered by the respondent. Thereafter, in the year 2011-2012-2013 the respondent also called for the post of Veterinary Inspectors. The petitioner approached the office of the employment exchange, to sponsor his name but his request was rejected on the sole ground that the petitioner had crossed the age limit fixed by the respondent. Again, the respondent again issued a notification through online on 08.08.2015 to fill up 294 posts for veterinary inspector. The petitioner gave an application on 27.08.2015 seeking for appointment for the post of Veterinary Inspector and the same was not considered by the respondent.

5. It is the grievance of the petitioner that the petitioner who was already selected in the interview in the earlier occasion to the post of Veterinary Inspector was denied appointment to the said post. In this regard, he made a representation dated 12.10.2015 to the respondent requesting to consider him for appointment to the post of Veterinary Inspector. But, the same was not considered so far. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

6. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who has taken notice on behalf of the respondents.

7. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondent to consider the representation of the petitioner dated 12.10.2015 seeking appointment to the post of Veterinary Inspector, and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the claim projected by the petitioner and it is for the respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

7. With the above direction, the present writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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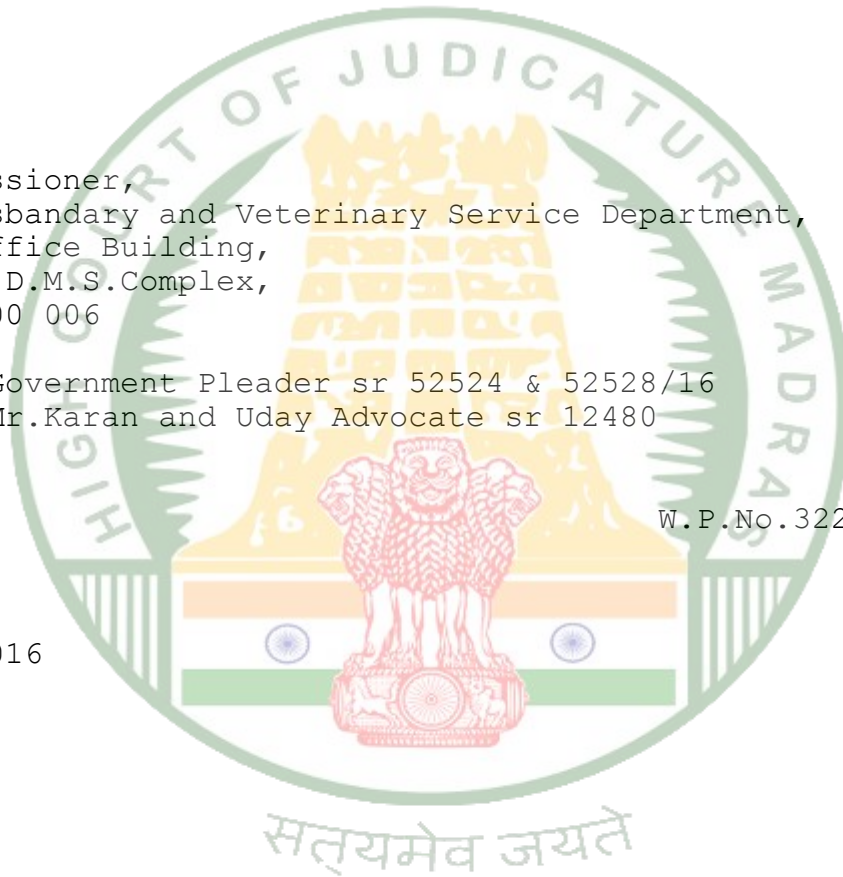
To

The Commissioner,
Animal Husbandary and Veterinary Service Department,
Central Office Building,
Block-II, D.M.S.Complex,
Chennai-600 006

+1 cc to Government Pleader sr 52524 & 52528/16
+1 cc to Mr.Karan and Uday Advocate sr 12480

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