

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27689 of 2019

T.Rajagopal

... Petitioner

Vs.

1.The Secretary to the Government
Animal Husbandry, Dairying & Fisheries Department
Fort St. George
Chennai 600 009

2.The Commissioner and Director
Animal Husbandry and Veterinary Services
Veterinary Hospital Complex Building,
Saidapet
Chennai 600 035

3.The Regional Joint Director
Animal Husbandry Department
Krishnagiri and District

4.The Deputy Director (AH)
District Live Stock Farm
Hosur,
Krishnagiri

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to consider the petitioner's representation dated 31.01.2019 in the light of G.O.Ms.No.49 dated 20.02.2013, G.O.Ms.No.185 dated 22.09.2016, G.O.Ms.No.144 dated 26.09.2016, G.O.Ms.No.251 dated 21.12.2017, G.O.Ms.No.38 dated 05.03.2018, G.O.Ms.No.58 dated 20.03.2018 and G.O.Ms.No.91 dated 15.07.2019.

For Petitioner : Mr.S.Gunasekaran

For Respondents : Mrs.R.Janaki, AGP

O R D E R

Mrs.R.Janaki, learned Additional Government Pleader accepts notice on behalf of the respondents. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The learned Counsel appearing for the petitioner would submit that the petitioner was appointed as a daily wages casual labourer at District Live Stock Farm, Hosur, Dharmapuri District on 01.01.1985 till 11.09.1990. The petitioner's name was sponsored by the employment exchange and allow to continue in Sheep section till 10.11.1999. On 11.11.1999, the petitioner was appointed as Animal Husbandry Assistant as per the order of the 2nd respondent. Thereafter promoted as Driver in the year 2015 and his service was regularised only from 28.08.2008. The Government decided the service of casual labourers brought in the service of 465 persons in whose favour of the Tamilnadu Administrative Tribunal has passed orders, into regular establishments as Annual Husbandry Assistant in respect of 361 posts. It was decided to select the persons who have put in service as casual labourers for more than 10 years. Therefore, the petitioner filed O.A. Before the Tamilnadu Administrative Tribunal in O.A.No.8233 of 1999 to regularisation of service on par with juniors and the Tribunal issued a direction to consider the representation of the applicant. As per the direction, the petitioner was appointed as Animal Husbandry Assistant and joined duty on 11.11.1999 at the 4th respondent's office as per the order of the 2nd respondent in his Na.Ka.No.76431/RR1/99-1 dated 20.10.1999 and continued as such without regularisation of service. Hence, the petitioner made several representations to the respondents to regularise his service from the date of regular appointment, but the same was not considered by the 3rd respondent till date.

3.The learned counsel for the petitioner would further submit that it would suffice if a direction is issued to the 1st respondent to consider the petitioner's representation dated 31.01.2019, within a reasonable time fixed by this Court.

4.The learned Additional Government Pleader would accede to the submission made by the learned counsel for the petitioner and submitted that the same will be considered on merits and in accordance with law.

5.Thus, without going into the merits of the case, this Court is inclined to direct the 1st respondent to consider the petitioner's representation dated 31.01.2019 and pass orders on merits and in accordance with law within a period of twelve

weeks from the date of receipt of a copy of this order.

6.With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to the Government
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3.The Regional Joint Director
Animal Husbandry Department
Krishnagiri and District

4.The Deputy Director (AH)
District Live Stock Farm
Hosur, Krishnagiri

+1cc to Mr.S.Gunasekaran, Advocate, SR.No.80106
+1cc to the Govt.Pleader, Vide Sr.No.80723

W.P.No.27689 of 2019

Kak(22/10/2019)

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