



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.11.2019
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.32239, 32241, 32244,32246, 32251,
32254, 32255, 32257 & 32258 of 2019
and
W.MP.Nos.32525, 32526, 32529, 32531,
32537,32543, 32546, 32549, 32550 of 2019

Dr.R.Balakrishnan	...	Petitioner in WP.32239/19
Dr.N.Vijayasundaram	...	Petitioner in WP.32241/19
Dr.K.Govindaraju	...	Petitioner in WP.32246/19
Dr.A.Vinayagam	...	Petitioner in WP.32251/19
Dr.M.Vinoth	...	Petitioner in WP.32254/19
Dr.S.Sundararaj	...	Petitioner in WP.32255/19
Dr.N.Elamparuthi	...	Petitioner in WP.32257/19
Dr.N.Kannan	...	Petitioner in WP.32258/19
Dr.E.Janarthanan	...	Petitioner in WP.32244/19

Vs

- 1 The Secretary to Government,
Animal Husbandry Dairying and Fisheries
Department, Secretariat, Chennai 9.
- 2 The Director of Animal Husbandry
and Veterinary Services ,
O/o.The Director of Animal Husbandry
and Veterinary Services,
Central Office Buildings,
Block II, Chennai 6.
- 3 The Secretary
Tamil Nadu Public Service Commission,
VOC Nagar, Park Town,
Chennai 3. ... Respondents in all WPs.

Prayer in all WPs.:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 2nd respondent to regularise the petitioners services with effect from the date of appointment as was granted in respect of the similarly placed persons by the 2nd respondent vide his proceedings Roc. No. 49852/ M1/ 2015 dated 16.10.2018 within the period that may be stipulated by this Court.

For Petitioner :Mr.S.Nambi Arooran for
M/S.Ajmal Associates in all WPs.
For Respondents : Mr.A.N.Thambidurai,
Spl.G.P. for R1 and R2 in all WPs.



: Mr. M.Loganathan for R3 in all WPs.

COMMON ORDER

- 1.The petitioners have filed these writ petitions seeking issuance of a Writ of Mandamus, to direct the 2nd respondent to regularise the petitioners services with effect from the date of appointment as was granted in respect of the similarly placed persons by the 2nd respondent vide his proceedings Roc. No. 49852/ M1/ 2015 dated 16.10.2018 within the period that may be stipulated by this Court.
- 2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2 and Mr.M.loganathan, learned counsel appearing for R3.
- 3.According to the petitioners, they have been appointed as Veterinary Assistant Surgeon, pursuant to the notification dated 25.02.2009 in the Tamil Nadu Animal Husbandry and Veterinary Service on temporary basis. The Government proposed to conduct the special qualifying examination to regularise the petitioners' service and the same was questioned before this Court and it was quashed. As against the same, the petitioners have filed SLP before the Hon'ble Supreme Court of India and the same is pending and they have been continuing their services. The petitioners have rendered more than six years of impeccable service. Whileso the second respondent vide proceedings 16.10.2018 has regularised the services of the candidates who were placed in the reserve list of the examination conducted in pursuant to the notification dated 25.02.2019. The grievance of the petitioners is that though the petitioners are similarly placed like that of the those persons whose services have been regularised, the second respondent has not regularised the services of the petitioners, hence in order to regularise their services, the petitioners have made representation dated 18.02.2019, requesting to regularise their services as has been done in respect of similarly placed persons. Since no action is forthcoming, the petitioners are before this Court.
- 4.The learned counsel for the petitioners would submit that without going into merits of the case since the representation made by the petitioners have been pending without any progress it would suffice even this Court directs the respondent to consider and dispose of the representation dated 18.02.2019, made by the petitioners, in accordance with law.
- 5.The learned Special Government Pleader appearing for the respondents while conceding the claim of the petitioner, would submit that if any such direction is given by this Court, the same would be complied with and the representation of the petitioners would be disposed of in accordance with law.
- 6.Considering the facts and circumstances of the case and the submissions made on either side, without going into the merits



of the case, the second respondent is directed to consider and dispose of the representation dated 18.02.2019, made by the petitioners in accordance with law and on merits, within a period of 12 weeks from the date of receipt of a copy of this order.

7. The writ petitions are accordingly disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jrs

To

- 1 The Secretary to Government,
Animal Husbandry Dairying and Fisheries
Department, Secretariat, Chennai 9.
- 2 The Director of Animal Husbandry
and Veterinary Services ,
O/o. The Director of Animal Husbandry
and Veterinary Services,
Central Office Buildings,
Block II, Chennai 6.
- 3 The Secretary
Tamil Nadu Public Service Commission,
VOC Nagar, Park Town,
Chennai 3.

+1 cc to Government Pleader Sr.No. 96591

+9ccs to Mr. Anjal Associates , Advocate SR.No. 95466

W.P.Nos. 32239, 32241, 32244, 32246, 32251,
32254, 32255, 32257 & 32258 of 2019
and

W.MP.Nos. 32525, 32526, 32529, 32531,
32537, 32543, 32546, 32549, 32550 of 2019

A.SK(27/12/2019)