

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32183 of 2019

1 M.Chikkanna ... Petitioner

Vs

- 1 The Secretary to the Government
Animal Husbandry Dairying and
Fisheries Department,
Fort St. George, Chennai - 9
- 2 The Commissioner and Director
Animal Husbandry and Veterinary Services
Veterinary Hospital Complex Building,
Saidapet, Chennai - 600035.
- 3 The Regional Joint Director,
Animal Husbandry Department,
Krishnagiri and District.
- 4 The Deputy Director (AH)
District Live Stock Farm,
Hosur Krishnagiri. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus Directing the 1st respondent to consider the petitioners representation dated 04.02.2019 in the light of following Government orders in 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 : Mr.A.N.Thambidurai, Spl.G.P.

O R D E R

- 1.The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct 1st respondent to consider the petitioners representation dated 04.02.2019 in the light of following Government orders in 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.
- 2.Heard the learned counsel appearing for the petitioner and the learned Government Special Pleader appearing for the respondents.
- 3.According to the petitioner, he was appointed as casual labourer on daily wage basis in the year 1989 in the District Live Stock Farm, Hosur, Dharmapuri District. From the date of his appointment in the year 1985 onwards, the petitioner has been working as daily wages and till now his services have not been regularised. Therefore, the petitioner made several representations to the respondents seeking to regularise his services from the date of his regular time scale in the post of Animal Husbandry Assistant. However, as there is no reply from the respondents, hence the petitioner is before this Court.
- 4.The learned counsel appearing for the petitioner would submit that similar placed persons who were appointed on temporary basis, approached the Tribunals/Courts and by virtue of the orders passed by the Tribunal and this Court, their services have been regularised by issuing G.O.Ms.No.49 dated 20.02.2013, G.O.Ms.No.117 dated 28.08.2008 and G.O.Ms.No.185 dated 22.09.2015 etc.,. Therefore the learned counsel would submit that since the petitioner also is a similarly placed as that those persons whose services have been regularised by virtue of the said Government Orders and hence the petitioner is entitled to regularise of his services. He pointed out that even the petitioner made a representation on 04.02.2019, the respondents have not considered and no orders have been passed. Therefore, the learned counsel seeks direction to the respondent to consider and dispose of the representation in the light of the above Government Orders.
- 5.4.The learned Special Government Advocate 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 petitioner 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 respondents are directed to consider and dispose of the petitioner's representation dated 04.02.2018 by passing appropriate orders in accordance with law and on merits in regard to regularization of his services, within a period of 12 weeks from the date of receipt of a copy of this order.

7.The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

- 1 The Secretary to the Government,
Animal Husbandry Dairying and,
Fisheries Department,
Fort St. George, Chennai - 9.
- 2 The Commissioner and Director,
Animal Husbandry and Veterinary Services,
Veterinary Hospital Complex Building,
Saidapet, Chennai - 600035.
- 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.95385
+1cc to the Government Pleader Sr.96590

W.P.No.2183/2019

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