

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 32530 of 2019

and

W.MP.No.32884 of 2019

1 N.Meganathan ... Petitioner

Vs.

1 The Director,
Animal Husbandry and Medicine
Saidapet, Chennai 600 035.

2 The Regional Joint Director
Animal Husbandry Department,
Ariyalur.

3 The Assistant Director
Department of Animal Husbandry
Periyathukurichi, Ariyalur.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ or order or direction in the nature of Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings of the 1st respondent in Na.Ka.No. 23714 / E2 / 18-1 dated 11.10.2019 and quash the same as illegal and consequently place a single post out of the vacant (existing) post of 58 of the petitioner.

For Petitioner : Mr.N.Juliet Latha

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 call for the records pertaining to the proceedings of the 1st respondent in Na.Ka.No.23714/E2/18-1 dated 11.10.2019 and quash the same as illegal and consequently place a single post out of the vacant (existing) post of 58 of to the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

- 3.The case of the petitioner is that the petitioner was appointed as Animal Husbandry Assistant on 14.07.2008 by the first respondent. The Government in their G.O.(Ms) No.10 Animal Husbandry, Milk Resource and Fisheries Department dated 27.01.2012 issued orders that the Animal Husbandry Assistants who have completed 5 years of service are eligible to undergo training for a period of 11 months as to be promoted as live stock inspector Grade II. the application for undergoing training was called for from among the eligible Animal Husbandry Assistants as on 01.07.2017 by the third respondent on 17.11.2017 and the petitioner submitted his willingness to undergo training in the letter dated 17.11.2017 and 20.11.2017 as the training is mandatory for promotion as Live Stock Inspector Grade II. The application being found in order and eligible for undergoing the training was forwarded by the third respondent through the second respondent after due verification of educational qualification of +2 by the Directorate of Government Examination, to the first respondent in his letter dated 06.08.2019. The first respondent issued a proceedings in proceedings dated 11.10.2019 deputing eligible Animal Husbandry Assistant as on 01.07.2017 for training wherein the petitioners name was missing. The petitioner in his letter dated 15.11.2019 represented to the first respondent with due acknowledgement but no response has been received on the petitioner's representation. Hence, this writ petition.
- 4.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 15.11.2019 and to pass appropriate orders.
- 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 petitioner would be disposed of in accordance with law.
- 6.Considering the limited request made by the learned counsel appearing for the petitioner, I am inclined to issue direction to the first respondent to consider the petitioner's representation dated 15.11.2019, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7.The writ petition is accordingly disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1 The Director,
Animal Husbandry and Medicine
Saidapet, Chennai 600 035.

2 The Regional Joint Director
Animal Husbandry Department,
Ariyalur.

3 The Assistant Director
Department of Animal Husbandry
Periyathukurichi, Ariyalur.

+1 cc to The Government Pleader, Sr.No. 97618

AKM/18.12.19/3P-5C /

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