



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 05.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.8227 of 2019

S.Shanmugasundaram

... Petitioner

vs.

- 1.The State of Tamil Nadu,
rep.by its Secretary to Government,
Animal Husbandry, Dairying & Fisheries Department,
St. George Fort, Chennai - 9.
 - 2.The Director of Animal Husbandry & Veterinary Services,
O/o.The Directorate of Animal Husbandry &
Veterinary Services,
DMS Building, Thenampet,
Chennai - 6.
 - 3.The Regional Joint Director,
Animal Husbandry Department,
Tirunelveli,
Tirunelveli District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to regularize the service of the petitioner w.e.f. 12.03.2001 i.e. from the date of joining in the regular post as Animal Husbandry Assistant and direct the respondents to sanction increment w.e.f. 12.03.2002 with all consequential service and monetary benefits taking into account of order made in W.A.No.1271 of 2012 dated 23.04.2014 and in the light of G.O.Ms.No.185 Animal Husbandry Dairying and Fisheries (AH6) Department dated 22.09.2015 and in the light of the order made in W.P(MD)Nos.18885 to 18887 of 2016 dated 03.10.2016 and in the light of G.O.Ms.No.38, Animal Husbandry, Dairying and Fisheries (AH6) Department dated 05.03.2018 extended to similarly placed person and by considering the petitioner's representation dated 06.03.2019.

For Petitioner : Mr.Mohamed Imran

For Respondent : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader

O R D E R

This writ petition has been filed seeking a direction to the first respondent to regularize the service of the petitioner with effect from 12.03.2001 as Animal Husbandry Assistant, in the light of the decisions rendered by this Court as well as various Government Orders and to direct the respondents to sanction all monetary benefits, based on the petitioner's representation dated 06.03.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader for the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3. The case of the petitioner is that he made a representation dated 06.03.2019 to the respondents, seeking regularization as Animal Husbandry Assistant from the date of his joining, in the light of the judgment rendered by the Division Bench of this Court as well as various Government Orders and also to grant all consequential service and monetary benefits. But the same has not been considered by the respondents so far. Hence, the petitioner is before this Court with the aforesaid prayer.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the petitioner's representation would be considered on merits and appropriate orders be passed by the first respondent.

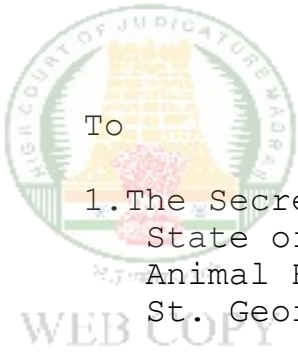
5. In view of the above submission, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 06.03.2019 with regard to regularization of service, in the light of the judgment rendered by this Court in W.A.No.1271 of 2012 dated 23.04.2014 and also in the light of G.O.Ms.No.185 Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 22.09.2015 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, after affording an opportunity of hearing to the petitioner.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-II)

/TRUE COPY/

Sub Assistant Registrar (CS)



To

- 1.The Secretary to Government,
State of Tamil Nadu,
Animal Husbandry, Dairying & Fisheries Department,
St. George Fort, Chennai - 9.
 - 2.The Director of Animal Husbandry & Veterinary Services,
O/o.The Directorate of Animal Husbandry &
Veterinary Services,
DMS Building, Thenampet,
Chennai - 6.
 - 3.The Regional Joint Director,
Animal Husbandry Department,
Tirunelveli,
Tirunelveli District.
- +1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-59384[F] dated
05/04/2019)
- +1 CC to M/s.SPL GP (SR-59556[F] dated 08/04/2019)

W.P(MD) No.8227 of 2019

SP:03/05/2019/3P/6C