

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.3805 of 2020
and W.M.P No.4502 of 2020

1. Dr.R.M.Karthikeyani
2. Dr.M.Muthamil Selvan
3. Dr.R.Thirugnanam
4. Dr.P.Prasad
5. Dr.M.Periyasamy ..Petitioners

vs.

1. The Secretary to Government,
Animal Husbandry Dairying and Fisheries Department,
Secretariat, Chennai 600009.
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 600003. ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 2nd respondent to regularize the petitioner's 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 : S.Nambi Arooran
For Respondents: Mr.S.N.Parthasarathi
Government Advocate

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 2nd respondent to regularize the services of the petitioners with effect from the date of appointment.

2.The case of the petitioners is that the 3rd respondent had issued notification in the year 2009 inviting applications from eligible candidates for appointment to the post of Veterinary Assistant Surgeon. The petitioners have also participated in the selection and they were called for interview. The petitioners were initially appointed as a Veterinary Assistant Surgeon on 17.05.2012 under 10(a)(i) of the Tamil Nadu State and Subordinate Service Rules. The 2nd respondent by proceedings dated 16.10.2018 has regularized the services of the candidates who were placed in the reserved list, after the selection was conducted pursuant to the earlier notification issued in the year 2009. According to the petitioners, out of 117 candidates who are now regularized, 88 candidates are now working temporarily like that of the petitioners and the remaining 29 candidates were chosen from the reserved list. The petitioners who have also participated in the earlier examination and working temporarily are seeking for regularization of services as was granted for similarly placed persons.

3.Heard Mr.S.Nambi Arooran, learned counsel appearing on behalf of the petitioners and Mr.S.N.Parthasarathi, learned Government Advocate appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the petitioners to make a fresh representation to the 2nd respondent requesting for regularizing their services and the 2nd respondent shall consider the same strictly in accordance with the earlier decision taken by the 2nd respondent on the same issue, and pass appropriate orders within a period of eight weeks from the date of receipt of copy of this order. The petitioners are directed to make a fresh representation to the 2nd respondent along with a copy of this order.

5.This writ petition is disposed of with the above directions. Consequently, connected miscellaneous petition is closed. No Costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssr

To

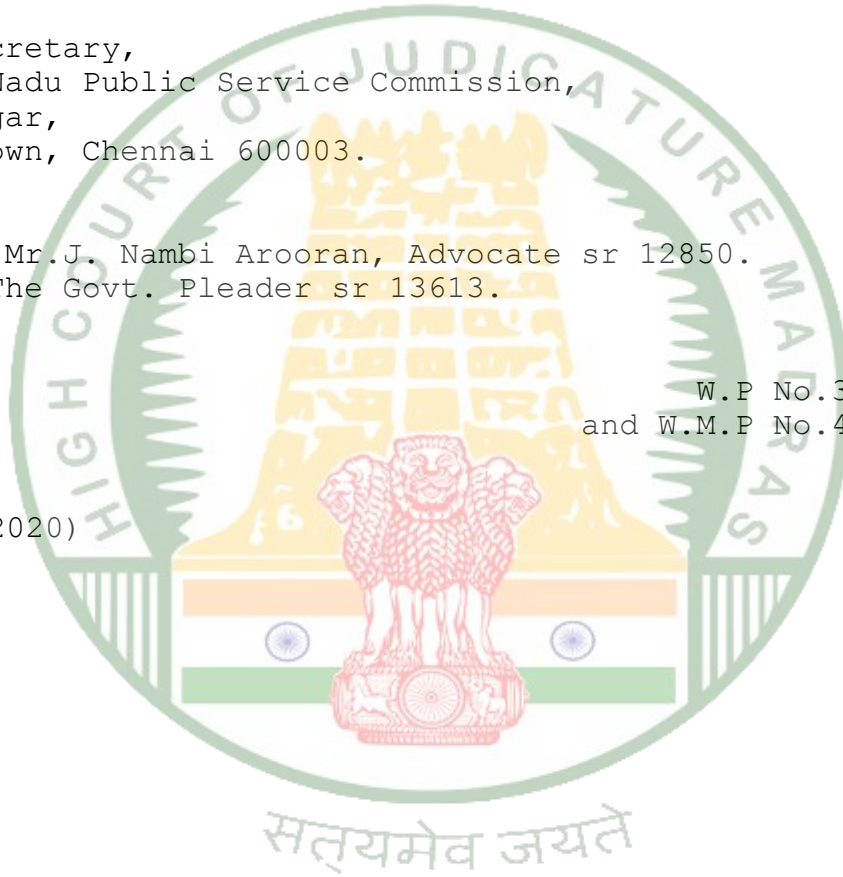
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+5 Ccs to Mr.J. Nambi Arooran, Advocate sr 12850.

+1 CC to The Govt. Pleader sr 13613.

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SR(CO)
SP(19/05/2020)



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