IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.4702 of 2020

G. Vijayakumar ... Petitioner

-Vs-

1. The State rep. by
The Secretary to Government
Tamil Nadu Animal Husbandry
Dairying and Fisheries Dept.
Fort St. George
Chennai 600 009

2. The Director
Tamil Nadu Animal Husbandry, Dairying and
Fisheries Department
Chennai 600 006

3. The Regional Joint Director
Tamil Nadu Animal Husbadry Dept. and
Veterinary Hospital
Tiruvarur District, Tiruvarur ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus by directing the respondents to consider the representations of the petitioner and to give retrospective effect of regularisation of Veterinary Assistant in the Tamil Nadu Animal Husbandry Dept. by considering the date of joining, i.e. 2.12.1998 instead of 28.08.2008 on the same footing as done in respect of similar employees who had filed Writ Petitions before this Hon'ble Court including all the monetary benefits of increment to the petitioner.

For Petitioner : Mr.K.M.Subramaniam

For Respondents : Mr. S.N. Parthasarathi
Government Advocate.

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ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondent to consider the representation made by the petitioner and to grant him regularization from 02.12.1998.

2. The case of the petitioner is that he joined as a casual labour in the Animal Husbandry Department in the year 1992. Thereafter, he was appointed as Animal Husbandry Assistant on 02.12.1998. Subsequently, the first respondent regularized the service of the petitioner with effect from 28.08.2008. The grievance of the petitioner is that he should have been regularized from 02.12.1998, which was the initial date of his appointment. In the meantime, the petitioner has also attained superannuation on 31.08.2018. The petitioner has sent a representation in this regard to the respondents. Since the same was not considered, the present Writ Petition has been filed before this Court.

3. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, there shall be a direction to the first respondent to consider the representation made by the petitioner on 03.08.2019 on its own merits and in accordance with law and appropriate orders shall be passed within a period of twelve (12) weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order.

4. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

bga

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To

1. The Secretary to Government
   Tamil Nadu Animal Husbandry
   Dairying and Fisheries Dept.
   Fort St. George
   Chennai 600 009

2. The Director,
   Tamil Nadu Animal Husbandry, Dairying and
   Fisheries Department
   Chennai 600 006

3. The Regional Joint Director
   Tamil Nadu Animal Husbadry Dept. and
   Veterinary Hospital
   Tiruvarur District, Tiruvarur

+1cc to M/s. K.M.Subrahmaniam, Advocate, S.R.No.18175

W.P.NO.4702 of 2020

CP(CO)
KKV/18/05/2020

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