

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Twenty Third day of March Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE S. VAIDYANATHAN

WMP No.7634 of 2021
IN WP.NO.7575 OF 2021

DR.V.RAJENDRAN [PETITIONER]

Vs

1 THE STATE OF TAMILNADU [RESPONDENTS]
REP BY SECRETARY TO GOVT,
ANIMAL HUSBANDRY,
DAIRYING AND FISHERIES DEPT,
FORT ST.GEORGE, CHENNAI-600009

2 THE DIRECTOR
DIRECTORATE OF ANIMAL HUSBANDRY AND
VETERINARY SERVICES,
NO.571,ANNA SALAI, NANDANAM,
CHENNAI-600 035

3 THE JOINT DIRECTOR (ADMINISTRATION),
DIRECTORATE OF ANIMAL HUSBANDRY AND
VETERINARY SERVICES,
NO.571, ANNA SALAI, NANDANAM,
CHENNAI-600 035

4 DR.S.KALA
JOINT DIRECTOR(EXTENSION), DIRECTORATE OF
ANIMAL HUSBANDRY AND VETERINARY SERVICES,
NO.571, ANNA SALAI, NANDANAM,
CHENNAI-600 035

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to treat the 4th Respondent herein in a representative capacity in the above writ petition under Rule 2-A of of Appendix V of Madras High Court Appellate Side Rules regulating proceedings under under 226 of the constitution of india and thus justice in WMP.NO.7634 OF 2021.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of DR.R.MAHESWARI, Advocate for the petitioner the court made the following order:-

This miscellaneous petition is filed under Rule 2-A of Appendix V of Madras High Court Appellate Side Rules (Rules to Regulate Proceedings under Article 226 of Constitution), seeking to treat the 4th respondent herein in a representative capacity in the above writ petition.

2. For the sake of convenience, Rule 2-A of Appendix-IV of the Appellate Side Rules, 1965, is extracted hereunder:

"Rule 2-A: Where there are numerous persons who may be affected in the event of the petitioner succeeding in a writ petition or whose addresses for effective service of notice in the writ petition is not known to the writ petitioner, or where the Court considers that having regard to the need for a quick decision and avoidance of delay, it is necessary to grant such permission, the writ petitioner, may with the permission of Court, file a single petition against one or more of such persons who may be affected, designating and describing him or them, as representing all such persons:

Provided that while granting permission to the petitioner to implead a respondent or respondents in a representative capacity, the Court may direct publication of a notice in the prescribed form so that every person likely to be affected will have an opportunity of coming on record if he so chooses."

3. The petitioner should have stated in the affidavit or shown in the cause title that the 4th Respondent is designated and described as representing all similarly situated persons. Since this has not been done, the petitioner is permitted to file an amendment petition to the cause title, by duly describing the 4th Respondent as mentioned in Rule 2-A. If the said amendment petition is ordered and the amendment is carried out, this Court will consider the request to effect paper publication before the specified date both in Tamil and English dailies widely circulated in the State of Tamil Nadu, provided all the respondents are within the State of Tamil Nadu, by duly mentioning the date of hearing and granting a specific date to file a proof into the Registry.

4. Since all the procedures stated supra are absent, this Court is inclined to adjourn this Miscellaneous Petition to enable the petitioner to amend the cause title in compliance of Rule 2-A extracted supra. If no amendment is made and the petition under Rule 2-A is not ordered, then the petition has no other option, but to array all the persons, who are likely to be affected as party

Respondents to this petition.

5. There shall be an interim order to the effect that any promotion will be subject to the result of this Writ Petition. In case the petitioner fails to adhere to the procedures adumbrated under Rule 2-A stated supra on or before 09.04.2021, the interim order granted now will stand automatically vacated, without further reference to this Court.

List this Miscellaneous Petition for further hearing on **17.04.2021**.

-sd/-
23/03/2021

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY TO GOVT,
STATE OF TAMILNADU
ANIMAL HUSBANDRY,
DAIRYING AND FISHERIES DEPT,
FORT ST.GEORGE,
CHENNAI-600009

2 THE DIRECTOR
DIRECTORATE OF ANIMAL HUSBANDRY AND
VETERINARY SERVICES,
NO.571,ANNA SALAI,
NANDANAM, CHENNAI-600 035

3 THE JOINT DIRECTOR (ADMINISTRATION),
DIRECTORATE OF ANIMAL HUSBANDRY AND
VETERINARY SERVICES,
NO.571, ANNA SALAI,
NANDANAM, CHENNAI-600 035

WEB COPY

Order
in
WMP.7634/2021

IN WP.NO.7575 OF 2021

Date :23/03/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (29/03/2021) IT.