



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.10818 of 2021

and

W.M.P(MD)No.8463 of 2021

Anand Raj

... Petitioner

Vs.

1.The Secretary to Government,
Animal Husbandry, Dairying and Fisheries
Department, Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.

2.The Deputy Registrar (Dairying),
16/8, Sivaganga Road,
Managiri, KK Nagar,
Madurai - 625 020.

3.The Commissioner,
Milk Production and Dairy Development
Department,
Madhavaram Milk Colony, Madhavaram,
Chennai - 600 051.

4.Mr.Rajendra Balajai,
Ex.Minister for Dairy Development,
No.59, Sukirapatti Road,
Thiruthangal,
Virudhunagar District - 626 130.

5.The Director,
Director of Vigilance & Anti Corruption,
No.293, MKN Road,
Alandur - 600 016.

6.The Deputy Superintendent of Police,
Vigilance & Anti Corruption,
No.1/165G, Alagar Kovil Main Road,
Mellur, Ramaond Reserve Line,
Race Course Colony, Madurai - 625 002.

7.Tmt.R.Janani Soundarya
(Ex-Managing Director of Aavin)
Now working as District Revenue Officer,
Collectorate,
Tenkasi - 627 811.



8.The Managing Director,
Aavin Milk Producer & Co-Operative Society,
Sivagangai Road, Managiri,
K.K.Nagar, Madurai.

9.K.Anbarasi
10.C.Rajapandian
11.R.RafiathulRahmania
12.R.Maharajan
13.Sathis Kumar
14.M.Palthambi
15.K.Veerakumarkarupaiya
16.A.Valarmathi
17.P.Viji Shalini
18.T.Balamurugan
19.M.Divya Bharathy
20.C.Jayarani
21.N.Srilakshmi Prabha
22.M.Naveen
23.S.Satheeskanth Jadeja
24.J.Vishnu
25.B.Mohan
26.A.Suresh
27.U.S.Irbhan Yasick
28.A.Ramar
29.K.Vishva Bharathi
30.SR.Asmitha
31.P.Bhavani
32.R.Solairaj
33.P.Subbulakshmi
34.P.Mahalakshmi
35.D.Linson
36.Janani Priya
37.T.Kanchana
38.M.Sundaragopi
39.K.Geetha Sundari
40.P.Krishnaveni
41.D.Ponnuthai
42.MP.Srilakshmi
43.P.Vijayakumar
44.S.Vinoth Kumar
45.S.Kavitha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Declaration, declaring that the selection/appointment of the 9 to 45 respondents made by the 3rd respondent in pursuant to the advertisements published vide reference No.1/2019, dated 19.06.2019, No.2/2019, dated 19.06.2019 and No.3/2019, dated 19.06.2019 as null and void, illegal and unconstitutional as violating of Article 14 and 16 of the



Constitution of India and pass necessary consequential direction in that regard.

For Petitioner : Mr.A.Sirajudeen,
Senior Counsel
for Mr.P.Ponraj
For R1 to R3, : Mr.Veerakathiravan,
R5, R6 & R8 Standing Counsel for Government
for Mr.A.K.Manickam
Standing Counsel for Government
For R4 : Mr.Ajmal Khan
Senior Counsel
for Mr.Mahaboob Athiff
For R7 : Mr.E.Mareeskumar

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.A.Sirajudeen, learned Senior Counsel for Mr.P.Ponraj appearing for the petitioner, Mr.Veerakathiravan, learned Senior Standing Counsel for Government assisted by Mr.A.K.Maickam, learned Standing Counsel for Government appearing for R1 to R3, R5, R6 and R8, Mr.Ajmal Khan, learned Senior Counsel for Mr.Mahaboob Athiff for R4 and Mr.E.Marees Kumar, learned counsel appearing for R7.

3.The petitioner seeks for a Writ of Declaration, declaring that the selection/appointment of the respondents 9 to 45 made by the 3rd respondent in pursuant to the advertisements published vide reference No.1/2019, dated 19.06.2019, No.2/2019, dated 19.06.2019 and No.3/2019, dated 19.06.2019 as null and void, illegal and unconstitutional as in violation of Articles 14 and 16 of the Constitution of India.

4.It is brought to our notice that identical prayer was made in another Public Interest Litigation in W.P.[MD]No.3660 of 2021 and the Hon'ble First Bench of this Court by order dated 25.02.2021, dismissed the writ petition by the following order:

"It is difficult to accept the petitioner's complaint pertaining to a recruitment process and the perceived irregularities in the conduct thereof.

2.In any event, the process has been completed and the official respondents indicate that appointments have been made in January, 2021.



3. Since the matter pertains to the services of several individuals, the petitioner's grievance cannot be given much credence. However, the respondent authorities should cross-check the process and if any irregularities are found, remedial measures should be taken as expeditiously as possible. The petitioner's prayer for interfering with the process is declined in view of the appointments having already been made.

4. W.P. (MD) No. 3660 of 2021 is dismissed. There will be no order as to costs."

5. In the light of the above, no further directions are required to be issued in this writ petition. The learned Senior Counsel appearing for the State submitted that already enquiry has been ordered under Section 81 of the Tamil Nadu Cooperative Societies Act, 1983. In any event, as per the observations made by the Hon'ble First Bench in the above order, it is always open to the authorities to cross check the process and if any irregularities are found, remedial measures shall be taken. The averments set out by the petitioner in the representation may also be taken note of.

6. With the above observations, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

MR

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary,
Government of Tamil Nadu,
Animal Husbandry, Dairying and Fisheries
Department, Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.



2. The Deputy Registrar (Dairying),
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6. The Managing Director,
Aavin Milk Producer & Co-Operative Society,
Sivagangai Road, Managiri,
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ORDER MADE IN
W.P.[MD]No.10818 of 2021
01.07.2021

RC(13.07.2021) 5P 7C