



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.3425 of 2021

and

W.M.P. (MD) Nos.2775, 2777 & 2779 of 2021

WEB COPY

Dr.P.Jagadeesan

... Petitioner

vs.

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

2.The Director
Directorate of Animal Husbandry
and Veterinary Services
No.571, Anna Salai, Nandanam
Chennai-600 035

3.The Secretary
Tamil Nadu Public Service Commission
V.O.C.Nagar, Park Town
Chennai-600 033

4.The Regional Joint Director
Animal Husbandry Department
Karur, Karur District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records relating to the impugned Advertisement No. 52, Notification No. 32/2019, dated 18.11.2019 issued by the 3rd respondent and consequentially direct the respondents 1 and 2 to grant permanent status to the petitioner by regularizing his service with all benefits within time limit fixed by this Court.

For Petitioner : Mr.Kannan.AL.

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.N.Satheesh Kumar
for R1, R2 & R4
Mr.J.Anandkumar for R3



O R D E R

This writ petition has been filed seeking the relief of regularization and permanent absorption in the post of Veterinary Assistant Surgeon.

2. In similar set of facts filed by other similarly placed persons, this Court has elaborately considered the issues and delivered a Judgment on 01.04.2022.

3. The learned Additional Advocate General brought to the notice of this Court that all these issues are similar in nature and the claim of the petitioner herein is one and the same (i.e.) for grant of regularisation and permanent absorption. This Court has dismissed the batch of writ petitions on 01.04.2022 by passing the following orders:-

222. Since the Hon'ble Supreme Court seized of the matter, it is for these petitioners and the respondent Tamil Nadu Animal Husbandry, Dairying and Fisheries Department to have this issue resolved in accordance with law to ensure that there is no doubt at a later point of time. The continuance of the petitioners in Table Nos.1, 2 & 3 in service, is subject to the final outcome of the S.L.P. before the Hon'ble Supreme Court other than those who have been selected pursuant to Notification No.32/2019, dated 18.11.2019.

223. In the result, all these Writ Petitions are dismissed with the above observations. No cost. Consequently, connected Miscellaneous Petitions are closed.

4. The matter went upto the Honourable Supreme Court of India. The Apex Court on 07.04.2022, delivered a Judgment holding that the petitioners are at liberty to participate in the process of selection through Tamil Nadu Public Service Commission and in such circumstances, they may be provided with the benefit of five additional marks for one year for the services rendered by the respective employees. The said order was clarified by the Commissioner of Veterinary Care and Medical Services, Chennai, on 08.04.2022.

5. The issue raised in the present writ petition is no more *res integra* as this Court has dismissed the similar writ petitions. However, the Honourable Supreme Court of India granted the benefit of five marks per year in the event of petitioners participating in the selection through Tamil Nadu Public Service Commission. The petitioner herein is also eligible to avail the benefits as granted by the Honourable Supreme Court of India, which was communicated by the Commissioner, Veterinary Care and Medical Services, Chennai, on 08.04.2022.



6. With these observations, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

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

2.The Director,
Directorate of Animal Husbandry
and Veterinary Services,
No.571, Anna Salai, Nandanam,
Chennai-600 035.

3.The Secretary,
TNPSC, Voc Nagar, Park Town ,
Chennai.

4.The Regional Joint Director,
Animal Husbandry Department,
Karur, Karur District.

+1 CC to M/s.AL. KANNAN, Advocate (SR-21754[F] dated 27/04/2022)

+1 CC to M/s.SPL.GP. (SR-21837,21910[F] dated 27/04/2022)

+1 CC to M/s.J. ANANDKUMAR, Advocate (SR-21146[F] dated
26/04/2022)

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