



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) Nos.10856, 4193 to 4207, 4209, 4210, 4215 to 4217, 4219, ,
4221, 4222, 4225, 4227, and 10862 of 2020
W.M.P(MD).Nos.3549 to 3564 of 2020, 3516 to 3547 of 2020, 3514,
3513, 9456, 9545, 9543 and 9541 of 2020

Dr.K.Ramesh	...	Petitioner in W.P(MD).No.10856 of 2020
Dr.S.Prasad	...	Petitioner in W.P(MD).No. 4193 of 2020
Dr.P.Thillaikkarasi	...	Petitioner in W.P(MD).No.4194 of 2020
Dr.K.Umaiyal	...	Petitioner in W.P(MD).No.4195 of 2020
Dr.M. Thineshkumar	...	Petitioner in W.P(MD).No.4196 of 2020
Dr.R.Viji	...	Petitioner in W.P(MD).No.4197 of 2020
Dr.B. Ganeshbabu	...	Petitioner in W.P(MD).No.4198 of 2020
Dr.E.P.Senthilkumar	...	Petitioner in W.P(MD).No.4199 of 2020
Dr.L.Darwin	...	Petitioner in W.P(MD).No.4200 of 2020
Dr. G. Alagirisamy	...	Petitioner in W.P(MD).No.4201 of 2020
Dr.K.Jebagilary	...	Petitioner in W.P(MD).No.4202 of 2020
Dr.P.Sivaprakasam	...	Petitioner in W.P(MD).No.4203 of 2020
Dr.M.Murugan	...	Petitioner in W.P(MD).No.4204 of 2020
Dr. R. Ganesamurthy	...	Petitioner in W.P(MD).No.4205 of 2020
Dr.S.Krishnamani	...	Petitioner in W.P(MD).No.4206 of 2020
Dr. S. Vellaipandi	...	Petitioner in W.P(MD).No.4207 of 2020
Dr.J.Amirthalingam	...	Petitioner in W.P(MD).No.4209 of 2020
Dr. S.Senthilkumar	...	Petitioner in W.P(MD).No.4210 of 2020
Dr.A.Elavarasi	...	Petitioner in W.P(MD).No.4215 of 2020
Dr.M.Sumathi	...	Petitioner in W.P(MD).No.4216of 2020
S.M.Sudharose	...	Petitioner in W.P(MD).No.4217 of 2020
M.Saravanan	...	Petitioner in W.P(MD).No.4219 of 2020
M.Paramasivam	...	Petitioner in W.P(MD).No.4221 of 2020
S.Raju	...	Petitioner in W.P(MD).No.4222 of 2020



M.Jencilin Jeevarathinam

S.R.Muthuram

K.Shanmuganathan

... Petitioner in W.P(MD).No.4225 of 2020

... Petitioner in W.P(MD).No.4227 of 2020

... Petitioner in W.P(MD).No.10862 of 2020

Vs.

1.The Secretary to Government,
Animal Husbandry and Veterinary Services,
Secretariat, Chennai-600 009.

2.The Director,
Directorate of Animal Husbandry &
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-600 003. ... Respondents in all WPs

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records in respect of the impugned order in Roc.No.45294/M1/2019 dated 24.12.2019 passed by the 2nd respondent and quash the same in so far as the petitioner herein is concerned and consequently direct the 2nd respondent to immediately regularize the petitioner herein as granted by 2nd respondent to similarly placed candidates vide proceedings in Roc.No.49852/M1/2015 dated 16.10.2018 within a period to be stipulated by this Court.

(In all WP's)

For Petitioner : Mr.R.Maheswari

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.N.Satheesh Kumar
Additional Government Pleader
for RR1 and 2
Mr.J.Anand Kumar,
Standing Counsel for R3



C O M M O N O R D E R

All these writ petitions are filed seeking the relief of regularization and permanent absorptions in the post of Veterinary Assistant Surgeon.

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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 petitioners 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 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 Hon'ble Supreme Court of India. The Hon'ble Supreme Court on 07.04.2022, delivered a judgment 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 these writ petitions are no more *res integra* as this Court has dismissed the similar writ petitions. However, the Hon'ble 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 petitioners in these writ petitions are also eligible to avail the benefits as granted by the Hon'ble Supreme Court of India which was communicated by the Commissioner, Veterinary Care and Medical Services, Chennai, on 08.04.2022.



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Prayer in W.P(MD).No.10856 of 2020

6. With these observations, all these Writ Petitions are dismissed. However, there shall be no order as to costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

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/ /2022

Sub Assistant Registrar(CS)

ssb

To

1.The Secretary to Government,
Animal Husbandry and Veterinary Services,
Secretariat, Chennai-600 009.

2.The Director,
Directorate of Animal Husbandry &
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-600 003.

+1 CC to M/s.R. MAHESWARI, Advocate (SR-18180[F] dated 12/04/2022)

+2 CC to M/s.J. ANANDKUMAR, Advocate (SR-18235,SR-18232[F] dated 12/04/2022)

+1 CC to M/s.SPL.GP. (SR-18357,SR-18364,SR-18145[F] dated 12/04/2022)

W.P.(MD) No. 10856 of 2020 etc.,
11.04.2022

_RD(09.05.2022) 4P 8C