



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.04.2022
CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY
W.P. (MD)No.23116 of 2016

and

W.M.P. (MD)Nos.16591& 16592 of 2016

P.Sasikala

... Petitioner

vs

1. The Secretary,
Department of Animal Husbandry
and Veterinary Services,
Chennai-6.

2. The Director of Animal Husbandry and
Veterinary Services,
Chennai-6.

3. The Director of Employment and Training,
O/o. The Director of Employment and Training,
Guindy, Chennai-32.

4. The District Employment Officer,
Madurai District, Madurai.

5. K.Pandiselvi

6. M.Jayalskshmi

7. R.Meenakshi

8. J.Vijayarani

9. S.Maheswari

10. M.Karthikeyan

11. P.Parimal

12. T.Sujatha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned Selection List of the 2nd respondent and the consequential impugned appointment order issued by the 2nd respondent in Na.Ka.No. 48751/E2/2012 dated 30.09.2013 and quash the same and consequently direct the 4th respondent to prepare a fresh seniority list for the post of Livestock Inspector Grade-II based on the employment seniority maintained by him.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.P.Athimoolapandian for R5,R7 to R11

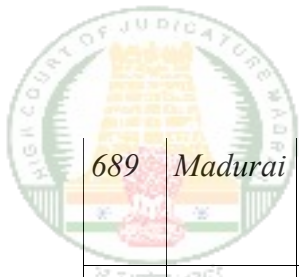
Mr.D.Farjana Ghoushia for R1 to R4

**ORDER**

This Writ Petition is filed challenging the selection list and the consequential appointment order dated 30.09.2013 and consequently, direct the fourth respondent to prepare a fresh seniority list for the post of Livestock Inspector Grade II based on the employment seniority.

2. The contention of the petitioner is that he belongs to B.C Community. The individual respondents age is below 32 or above 30. The individual respondents are over aged to be considered under General Turn. The petitioner has misunderstood the entire selection process and the rules and regulations made for selection. Any person who belongs to BC, SC and ST Communities should have an age criteria fixed as per the rules and regulations. In the present case, the respondents belonging to BC Community and the upper age is 32 in the selection process. An individual respondent was kept under General Category based on the higher marks. The contention of the petitioner is that if the BC Community who comes under the General Turn then the age limit should be 30. It is absolutely erroneous and incorrect interpretation of the Rules. The age criteria is fixed for the candidates based on the Community. Since they are brought under the General Turn, their age criteria will not be modified or changed. The respondent Nos.4 to 12 and the learned Government Pleader submitted that the issue was considered already in W.P.(MD)No.2048 of 2018 batch, vide order, dated 09.12.2021 and another writ petition in W.P.(MD)No.2452 of 2013 batch, vide order, dated 17.07.2019. The learned Single Judge have dismissed the writ petitions. The learned Counsel for the petitioner submitted that one Pandiselvi and Jeyalakshmi are over aged and admittedly as per records their date of birth is 21.07.1979 and 03.03.1979 respectively and both are over aged. But both belongs to the category of destitute widow priority category and for such category another relaxation age was fixed as 35. Therefore, the petitioner's objection is liable to be rejected and hence rejected. Since the said Pandiselvi and Jeyalakshmi comes under destitute widow, other respondents from 7 to 12 all belonging to SC Category and their date of birth is stated as under:

SL. No.	District	Priority	Reg.No	Reg. Date	Name & Address	Date of Birth	
110	Madurai	MBC GL P	MDD1999 F00007774	21.07.1999	K.Pandselvi	21.07.1979	32 years 11 months 11 days
211	Madurai	BCO GP	MDD1998 F00000898	13.04.1998	M.Jayalakshmi	03.03.1979	33 years 3 months 29 days
469	Madurai	GTWNPR Y	MDD1994 F00002405	08.06.1994	R.Meenakshi	13.07.1977	34 years 11 months 19 days



689	Madurai	GT WNP	MDDI992F 00004073	29.06.1994	J.Vijayarani	08.07.1977	34 years 11 months 24 days
744	Madurai	GT WNP	MDD1993 F00004862	29.05.1995	S.Maheswari	26.01.1978	34 years 5 months 6 days
1262	Madurai	GT WNP	MDD1995 M00002727	29.05.1995	M.Karthikeyan	15.05.1978	34 years 1 month 17 days
1422	Madurai	GT GL NP	MDD1993 F00005897	30.05.1995	P.Parimala	04.01.1978	34 years 5 months 28 days
1425	Madurai	GT GL NP	MDD1993 F00005264	30.05.1995	T.Sujatha	12.06.1978	34 years 2 months 14 days

Since for them 35 years is the age limit, the objection of the petitioner is not valid. Hence there is no infirmity in the appointment order.

3.Hence, the Writ Petition is dismissed. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
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and Veterinary Services,
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O/o. The Director of Employment and Training,
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Madurai District, Madurai, Madurai.

+1 CC to M/s.M.R. SREENIVASAN, Advocate (SR-19090[F] dated
18/04/2022)

+1 CC to M/s.SPL.GP. (SR-18983[F] dated 18/04/2022)

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MGJ(19.05.2022) 4P 7C