



W.P.No.12586 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P.No.12586 of 2021

1.M.Mathappa

2.M.Ullurappa

... Petitioners

Vs.

1.The Secretary to the Government,
Animal Husbandry, Dairying & Fisheries
Department,
Fort St.George, Chennai -9.

2.The Director,
Animal Husbandry and Veterinary Services,
Veterinary Hospital Complex Building, Saidapet,
Chennai - 600 035.

3.The Regional Joint Director,
Animal Husbandry Department,
Krishnagiri and District.

4.The Deputy Director (AH),
District Live Stock Farm,
Hosur, Krishnagiri.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to regularise the services of the petitioners from the date of regular appointment as Animal Husbandry Assistant as was given to similarly placed persons in the light of the Government orders 1.) G.O.Ms.No.17 dated 03.02.2004



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2.) G.O.Ms.No.49 dated 20.02.2013 3.) G.O.Ms.No.185 dated 22.09.2015 4.) G.O.Ms.No.144 dated 26.09.2016 5.) G.O.Ms.No.251 dated 21.12.2017, 6.) G.O.Ms.No.38 dated 05.03.2018, 7.) G.O.Ms.No.58 dated 20.03.2018 8.) G.O.Ms.No.91 dated 15.07.2019 9.) G.O.Ms.No.157 dated 04.11.2019 10.) G.O.Ms.No.14, dated 27.11.2019.

For Petitioners : Mr.S.Gunasekaran

For Respondents : Mr.G.Nanmaran, Special Govt. Pleader

ORDER

This Writ Petition has been filed seeking issuance of Writ of Mandamus to direct the respondents to regularise the services of the petitioners from the date of regular appointment as Animal Husbandry Assistant as was given to similarly placed persons in the light of the Government orders viz., G.O.Ms.No.17 dated 03.02.2004, G.O.Ms.No.49 dated 20.02.2013, G.O.Ms.No.185 dated 22.09.2015, G.O.Ms.No.144 dated 26.09.2016, G.O.Ms.No.251 dated 21.12.2017, G.O.Ms.No.38 dated 05.03.2018, G.O.Ms.No.58 dated 20.03.2018, G.O.Ms.No.91 dated 15.07.2019, G.O.Ms.No.157 dated 04.11.2019 and G.O.Ms.No.14, dated 27.11.2019.

2. Heard Mr.S.Gunasekaran, learned counsel for the petitioners and Mr.G.Nanmaran, learned Special Government Pleader appearing for the respondents.



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3. The petitioners were appointed as casual labourers on daily wage basis on 08.06.1986 and 27.04.1979 respectively in the District Live Stock Farm, Hosur and retired from service on 30.05.2017 and 30.06.2017 respectively. The petitioners are entitled for regularisation from the date of their appointment, but the fourth respondent had regularised the petitioners' service from the date of G.O.Ms.No.117, Animal Husbandry, Dairying and Fisheries Department dated 28.08.2008. Aggrieved over the same, the petitioners are before this Court.

4. The contention of the petitioners is that similarly placed persons have already filed Writ Petitions in W.P.Nos.8931, 8932 & 21382 of 2009 challenging G.O.Ms.No.117, Animal Husbandry, Dairying and Fisheries Department dated 28.08.2008 which contemplates regularisation from the date of issuance of the above Government Order. By virtue of the order granted in the above Writ Petition, a revised Government Order has been passed in G.O.3D.No.2 dated 20.02.2020. In compliance of the order of this Court made in the above writ petition, the service of the



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persons covered under G.O.Ms.No.117 dated 28.08.2008 have been regularised from the date of their appointment instead from the date of issuance of G.O.Ms.No.117 dated 28.08.2008.

5. Since the petitioners are also similarly placed like the petitioners in W.P.Nos.8931, 8932 & 21382 of 2009, the very same benefit is applicable to the petitioners also and hence the first respondent is directed to pass appropriate orders in the light of G.O.3D.No.2 dated 20.02.2020 within a period of four weeks.

6. In the result, this Writ Petition is allowed and the first respondent is directed to pass appropriate orders in the light of G.O.3D.No.2 dated 20.02.2020 within a period of four weeks from the date of receipt of a copy of this order. No costs.

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Index : Yes
Internet : Yes/No
gsk



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WEB COPY

To

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R.N.MANJULA, J.

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