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W.P.No.1178 of 2021
& W.M.P.No.6051 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.1178 of 2021
& W.M.P.No.6051 of 2021

1.N.Gopal
2.M.Timmarayappa
3.N.Muniyappa

...

Petitioners

versus

- 1.The Secretary to the Government,
Animal Husbandry, Dairying & Fisheries Department,
Fort St.George, Chennai - 9.
- 2.The Secretary to the Government,
Personnel and Administrative Reforms Department,
Fort St.George, Chennai - 9.
- 3.The Secretary to the Government,
Finance (A.H.D. and F) Department,
Fort St.George, Chennai - 9.
- 4.The Secretary to the Government,
Law Department,
Fort St.George, Chennai - 9.
- 5.The Director,
Animal Husbandry and Veterinary Services,
Veterinary Hospital Complex Building,
Saidapet, Chennai - 600 035.



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

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

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing 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 1).G.O.Ms.No.49 dated 20.02.2013, 2).G.O.Ms.No.185 dated 22.09.2015, 3).G.O.Ms.No.144 dated 26.09.2016, 4).G.O.Ms.No.251 dated 21.12.2017, 5).G.O.Ms.No.38 dated 05.03.2018, 6).G.O.Ms.No.58 dated 20.03.2018, 7).G.O.Ms.No.91 dated 15.07.2019, 8).G.O.Ms.No.157 dated 04.11.2019 and 9).G.O.Ms.No.14, dated 27.11.2019.

For Petitioners : Mr.S.Gunasekaran

For Respondents : Mr.T.Chezhiyan
Additional Government Pleader

ORDER

The petitioners have filed this petition seeking for a writ of mandamus, directing the respondents to regularise their services from the date of regular appointment as Animal Husbandry Assistant as was given to similarly placed persons in the light of 1).G.O.Ms.No.49 dated 20.02.2013, 2).G.O.Ms.No.185 dated 22.09.2015, 3).G.O.Ms.No.144 dated 26.09.2016,



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4).G.O.Ms.No.251 dated 21.12.2017, 5).G.O.Ms.No.38 dated 05.03.2018,
6).G.O.Ms.No.58 dated 20.03.2018, 7).G.O.Ms.No.91 dated 15.07.2019,
8).G.O.Ms.No.157 dated 04.11.2019 and 9).G.O.Ms.No.14, dated
27.11.2019.

2. Heard Mr.S.Gunasekaran learned counsel for the petitioners,
Mr.T.Chezhiyan, learned Additional Government Pleader for the
respondents and perused the materials available on record.

3. The petitioners were appointed as Daily Wages Casual
Labourers in the year 1991 at District Live Stock Farm, Hosur and
thereafter, they were brought into regular establishment as Animal
Husbandry Assistants, in Animal Husbandry, Dairying and Fisheries
Department. The grievance of the petitioners is that they are entitled for
regularisation from the date of their appointment i.e. 22.12.1999 and
29.11.1999 respectively. Hence, they made representation to the first
respondent on 28.01.2020 and the same was not considered by him so far.



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4. The contention of the petitioners is that the 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 persons covered under G.O.Ms.No.117 dated 28.08.2008 have been regularised from the date of their appointment instead of from the date of issuance of G.O.Ms.No.117 dated 28.08.2008

5. The petitioners are also similarly placed, like the petitioners in W.P.Nos.8931, 8932 & 21382 of 2009. In view of the principle of equality under Article 14 of the Constitution of India, 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.



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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. Consequently, connected miscellaneous petition is closed.

06.11.2023

Speaking order

Index : Yes

Neutral Citation : Yes / No

sri



To

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R.N.MANJULA, J.

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