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W.P.No.27200 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.27200 of 2021

S.Thomas,
S/o.Soosainathan,
Animal Husbandry Assistant,
Veterinary Hospital,
Pennagaram and Post,
Dharmapuri - 636 810.

...

Petitioner

versus

1.The State of Tamil Nadu rep. by its
Secretary to 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,
Dharmapuri and District.

4.The Assistant Director (AH),
Animal Husbandry Department,
Dharmapuri.

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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 petitioner from the date of joining as regular time scale of pay in the post of Animal Husbandry Assistant as was given to similarly placed persons in the light of G.O.(Ms).No.58 dated 20.03.2018.

For Petitioner : Mr.S.Gunasekaran
For Respondents : Mr.G.Nanmaran
Special Government Pleader

ORDER

The petitioner has filed this petition seeking for a writ of mandamus, directing the respondents to regularise his services from the date of regular appointment as Animal Husbandry Assistant as was given to similarly placed persons in the light of G.O.(Ms).No.58, Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 20.03.2018.

2. Heard Mr.S.Gunasekaran learned counsel for the petitioner, Mr.G.Nanmaran, learned Special Government Pleader for the respondents and perused the materials available on record.

3. The petitioner, who was appointed as a Daily Wage Casual Labourer in the year 1991 at District Live Stock Farm, Hosur. Considering



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his long service and also taking into consideration of the order passed by the Tamil Nadu Administrative Tribunal, the Government Order has been issued in G.O.(Ms).No.19, Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 21.02.2007 by appointing the petitioner as the Animal Husbandry Assistant at Veterinary Hospital, Dharmapuri.

4. The services of the petitioner was regularised through G.O.(Ms).No.173, Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 10.07.2013 with effect from the date of the Government Order. The claim of the petitioner that he has been regularised as early as in the year 21.02.2007 as per G.O.(Ms).No.19, dated 21.02.2007 and his regularisation has been given effect from 21.02.2007 and not from 10.07.2013. In this regard, he made representation to the respondents 1 and 2 on 04.02.2020 and 05.08.2021 respectively and the same were not considered so far.

5. Similarly such persons like the petitioner, who were originally appointed as Animal Husbandry Assistants under G.O.(Ms).No.19, Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 21.02.2007



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had been subsequently regularised with effect from the date of their appointment through G.O.(Ms).No.58, Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 20.03.2018. Since the petitioner is also similarly placed and he is also covered under G.O.(Ms).No.19, Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 21.02.2007, the very same benefit is applicable to the petitioner also. Hence the first respondent is directed to pass appropriate orders in the light of G.O.(Ms).No.58, Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 20.03.2018 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.(Ms).No.58, Animal Husbandry, Dairying and Fisheries (AH6) Department, dated 20.03.2018, within a period of four weeks from the date of receipt of a copy of this order. No costs.

07.11.2023

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



To

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R.N.MANJULA, J.

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