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W.P.No.235 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.235 of 2022 and
WMP.Nos.268, 270 & 271 of 2022

C.Karthikeyan

... Petitioner

Vs.

- 1.The Director,
Animal Husbandry and Veterinary Service,
Theynampettai,
Chennai-6
- 2.The Principal Secretary to Government,
Animal Husbandry, Dairy and Fisheries(AH6) Department,
Secretariat,
Chennai-9
- 3.The Commissioner,
Animal Husbandry Veterinary Malikai,
Secretariat,
Chennai-6
- 4.The Zonal Joint Director,
Animal Husbandry Department,
Animal Multi Specialty Hospital Campus,
Breads Road,
Salem-1

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to proceedings in GO.Ms.No.249 dated 20.12.2017



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passed by the second respondent and order passed by the first respondent dated 09.12.2021 in Na.Ka.No.2465 No.1/2021, quash the same and consequently direct the respondents to permit the petitioner for appointment of Animal Husbandry Assistant post based on eighth standard completion.

For Petitioner : Mr.M.Elango

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the second respondent in GO.Ms.No.249 dated 20.12.2017 and the order passed by the first respondent dated 09.12.2021 thereby fixed eligibility criteria as 10th standard to the post of Animal Husbandry Assistant in Animal Husbandry Department.

2. Heard, the learned counsel appearing on either side.

3. The first respondent had invited applications to fill up 1573 posts of Animal Husbandry Assistant. Accordingly, the petitioner had applied for the said post on 25.09.2015. The eligibility criteria had been



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fixed as 8th standard. The petitioner had passed 8th standard and applied for the said post. However on 25.12.2017, the said notification was cancelled by passing another order in GO.No.249 Animal Husbandry, Diary and Fisheries (AH6) Department dated 20.12.2017 thereby ordered to receive fresh / new application for the posts of Animal Husbandry Assistant with eligibility criteria of 10th standard since it is a superior post.

4. Further, the earlier notification was cancelled for the reason that there was procedural lapse of inviting application at the State level which ought to have been filed based on the vacancies in district level since the appointing authority for the Animal Husbandry Assistant was the concerned Head Office in the District. By the communication dated 03.11.2017, it was informed to the first respondent that as per the existing rule notified in GO.Ms.No.249 Animal Husbandry, Dairying and Fisheries (AH6) Department dated 20.12.2017, the controlling officer for the post of Animal Husbandry Assistant is the concerned Head of Office i.e. the Director of Animal Husbandry and Veterinary Services.



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Therefore, in order to receive fresh / new application for the posts of Animal Husbandry Assistant, it was informed that a decision can be taken as per the Rules. The Government made amendments to the said rules for the Tamilnadu Animal Husbandry Subordinate Service and issued GO.Ms.No.249 dated 20.12.2017. Further, by the letter dated 17.01.2018, it was directed to call for fresh applications for the said post. Therefore, the petitioner is not eligible to apply for the post of Animal Husbandry Assistant. Further, it is a superior service and Animal Husbandry Assistant post had the education qualification as studied upto 8th standard which was identical and same to the basic service of Office Assistant which also has 8th standard pass. Therefore, it is decided to raise the educational qualification for the Animal Husbandry Assistant post and prescribed as 10th standard. As such, the request made by the petitioner was rightly rejected by the respondents.

5. In view of the above, this Court finds no infirmity or illegality in the impugned orders. As such this writ petition is devoid of merits and liable to be dismissed.



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6. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

02.07.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

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