



WEB COPY



WP.No.641 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.641 of 2022 and
WMP.No.688 of 2022

D.Sathiyamorthi

... Petitioner

Vs.

1.The Director,
Animal Husbandry and Medical Services,
Centre Office Buildings,
Phase III, DMS Complex, Teynampet,
Chennai-8

2.Regional Joint Director,
Animal Husbandry Department,
Vellore-4

... 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 of the impugned order in Ma.K.Na.No.298/A1/2018 dated 29.12.2021 passed by the second respondent and quash the same and thereby consequently direct the second respondent to allow the petitioner to participate in the interview for the post of Animal Husbandry Assistant notified on 31.10.2015.

For Petitioner : Mr.T.Balaji



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For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 29.12.2021 thereby cancelled the candidature of the petitioner to the post of Animal Husbandry Assistant on the ground that the petitioner's candidature is barred by age.

2. The petitioner belongs to most backward class and he is qualified with 12th std. While being so, the first respondent issued notification dated 31.10.2015 calling for applications for direct recruitment to the post of Animal Husbandry Assistant. As per the notification, age limit prescribed to apply for the said post was 32 years and below if passed 10th std and 12th std for MBC. At the time of application, the petitioner was only 32 years old and as such, he is eligible to be appointed to the post of Animal Husbandry Assistant. However, his candidature was rejected on the ground that the petitioner was barred by age.



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3. The second respondent filed counter and the learned Special Government Pleader appearing for the respondents submitted that the notification dated 31.10.2015 was issued for the entire State. Subsequently, it was cancelled and directed to call for applications district-wise as per their requirements. As per the district-wise notification, the age is fixed at 32 years for BC, MBC and BC Muslim category. Accordingly, since the petitioner crossed the age of 32 years, his candidature was rejected for the post of Animal Husbandry Assistant.

4. The learned counsel for the petitioner insisted that though this Court directed to produce the new notification, it is not produced before this Court.

5. From the communication of the Government dated 03.11.2017, it is seen that the notification, which was issued earlier for recruitment to the post of Animal Husbandry Assistant, was cancelled. As such, now there is no need to produce the fresh notification, if any, issued by the District Officers for recruitment to the post of Animal Husbandry



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Assistant. However, if the petitioner is eligible to apply for the post of Animal Husbandry Assistant as per the notification issued district-wise, the petitioner can very well apply to the post of Animal Husbandry Assistant in future.

6. Therefore, this Court finds no infirmity or illegality in the impugned order passed by the second respondent. As such, this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

10.07.2024
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Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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