



WEB COPY

W.P.Nos.4427, 4431, 4434, 4436, 4
6546, 6552 & 6555 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.4427, 4431, 4434, 4436, 4437, 6546, 6552 & 6555 of 2021
and W.M.P.Nos.5034, 5042, 5043, 5047, 5046,
7130, 7132 & 7135 of 2021

W.P.No.4427 of 2021

Dr.G.Sundarapandian,
Veterinary Assistant Surgeon,
No.77, Sapthagiri Garden,
Kumarapettai.Thiruvanthipuram,
Cuddalore - 607 401.

...

Petitioner

versus

1.The Secretary to Government,
Animal Husbandry & Veterinary Services,
Secretariat, Chennai - 600 009.

2.The Director,
Directorate of Animal Husbandry &
Veterinary Services,
No.571, Anna Salai,
Nandanam, Chennai - 600 035.

3.The Secretary,
Tamil Nadu Public Service Commission,
V.O.C. Nagar, Park Town,
Chennai - 600 003.

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Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Mandamus, directing the 2nd respondent to regularize the petitioner herein with immediate effect, as granted by 2nd respondent to similarly placed candidates vide proceedings in Roc.No.49852/M1/2015 dated 16.10.2018.

For Petitioner [in all W.Ps]	:	Dr.R.Maheswari
For Respondent Nos.1 & 2 [in all W.Ps]	:	Mr.T.Chezhiyan Additional Government Pleader
For Respondent No.3 [in all W.Ps]	:	M/s.G.Hema Standing Counsel for TNPSC

COMMON ORDER

Since the issue involved in all the Writ Petitions is one and the same, all these Writ Petitions were heard together and disposed by this common order.

2. The petitioners have filed these petitions seeking a writ of mandamus, directing the second respondent to regularise the petitioners as was given to the similarly placed candidates *vide* proceedings dated 16.10.2018.



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3. Heard Dr.R.Maheswari, learned counsel for the petitioners and Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents 1 and 2 and M/s.G.Hema, learned Standing Counsel for the third respondent and perused the materials available on record.

4. The petitioners are qualified for the post of Veterinary Assistant Surgeons in the Department of Animal Husbandry & Veterinary Services. They have successfully completed the written examination and the oral test conducted by the third respondent. The petitioners were kept under the regular / reserved list maintained by the third respondent.

5. The second respondent has appointed 117 candidates from the reserved list. There are about 258 existing vacancies to be filled up. The petitioners were appointed as Veterinary Assistant Surgeons on the recommendation of the third respondent in accordance with the Government Orders passed in G.O.(Ms)No.137, Animal Husbandry, Dairying and Fisheries (AH7) Department dated 14.11.2011 and G.O.(2D)No.42, Animal Husbandry, Dairying and Fisheries (AH7) Department dated 28.05.2013.



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6. In a Writ Petition filed in W.P.No.4857 of 2012, an order has been passed on 19.06.2012 wherein this Court has dealt the issue with regard to those candidates, who have fall under Rule 10(a)(i) of the Tamil Nadu State and Subordinate Services. So far as these petitioners are concerned, they come under the purview of G.O.(Ms)No.137, Animal Husbandry, Dairying and Fisheries (AH7) Department dated 14.11.2011 wherein the Government has instructed the Directorate of Animal Husbandry & Veterinary Services that before filling up the post through employment exchange, candidates in the reserved list / regular list in TNPSC should be adjusted. So far as these petitioners are concerned, they claim that they are the candidates standing in the reserved list.

7. Similarly placed persons have already filed Writ Petitions in W.P.No.9891 of 2021 etc. batch and they are dismissed on 01.04.2022. Challenging the same, Writ Appeals have been filed in W.A.No.1526 of 2022 etc. batch and the same are pending. Since the final outcome of the said Writ Appeals would have the impact upon the claim made by the



petitioners in these petitions as well, these Writ Petitions are **disposed**, in terms of the orders that is going to be passed in those Writ Appeals. No costs. Consequently, connected Miscellaneous Petitions are closed.

22.03.2024

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

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To

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R.N.MANJULA, J.

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