



W.P. No.8141 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 02.08.2024**

CORAM :

**THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P.No.8141 of 2021**

**and**

**W.M.P.No.8702 & 11635 of 2021**

P.Ganesh Kumar

... Petitioner

Vs.

- 1.The Principal Secretary to Government,  
Animal Husbandry, Dairying and Fisheries Department,  
Government of Tamil Nadu  
Secretariat, Chennai – 600 009.
- 2.The Registrar,  
Tamilnadu Veterinary and Animal Sciences University,  
Madhavaram Milk Colony, Chennai – 600 051.
- 3.The Dean,  
Madras Veterinary College, Chennai – 600 007.
- 4.The Dean,  
Veterinary College and Research Institute,  
Namakkal – 637 002.
- 5.The Dean,  
Veterinary College and Research Institute,  
Thalaivasal, Koot Road, Salem – 636 112.



W.P. No.8141 of 2021

6.The Finance Officer,  
Tamilnadu Veterinary and Animal Sciences University,  
Madhavaram Milk Colony,  
Chennai – 600 051.

7.The Accounts Officer,  
Accounts Section,  
Veterinary College and Research Institute,  
Namakkal – 637 002.

8.The Deputy Director of Local Fund Audit,  
TANUVAS Audit  
Madras Veterinary College Campus,  
Chennai- 600 007.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records relating to the proceedings in file No.76/Estt/C3/2021 dated 12/01/2021 issued by the 4<sup>th</sup> respondent and consequential proceeding in No.142/Accounts/VC&RI/Namakkal/2020 dated 29/01/2021 issued by the 4<sup>th</sup> respondent and quash the same as illegal.

|                            |   |                                                           |
|----------------------------|---|-----------------------------------------------------------|
| For Petitioner             | : | Mr.S.Vijayakumar                                          |
| For R1 & R8                | : | Mr.M.Murali<br>Government Advocate                        |
| For R2                     | : | Mr.S.Vijayakumar, Senior Counsel<br>for Mr.J.Melwin Jabaz |
| For R3, R4,<br>R5, R6 & R7 | : | Mr.E.Sundaram<br>Government Advocate.                     |



**ORDER**

WEB COPY

Through the impugned order dated 12.01.2021, the pay of the petitioner was revised resulting in reduction of pay. However, the same was issued without following principles of natural justice and no opportunity was afforded to the petitioner before passing the impugned order adversely affecting his interest reducing his pay. Consequent upon the impugned order, an amount of Rs.3,50,214/- was sought to be recovered by issuing another proceedings dated 29.01.2021. It is aggrieved by the said proceedings dated 12.01.2021 and 29.01.2021, the petitioner approached this Court by filing the present writ petition.

2. Though submissions have been made elaborately on either side, this Court is of the considered view that the impugned proceedings cannot be sustained for want of complying with principles of natural justice.

3. It is not in dispute that the petitioner was not afforded any opportunity before issuing impugned proceedings. As a matter of fact this Court by way of interim order stayed recovery of the amounts pursuant to the proceedings dated 29.01.2021.



W.P. No.8141 of 2021

WEB COPY

4. In the light of the above, the impugned orders cannot be sustained and the matter is liable to be remanded back to the 4<sup>th</sup> respondent for reconsidering the matter by affording an opportunity to the petitioner and for passing appropriate orders in accordance with law. The 4<sup>th</sup> respondent is further directed to conclude the proceedings on remand of the matter as expeditiously as possible at any rate within a period of three (3) months from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is allowed and the connected miscellaneous petitions if any shall stand closed. No costs.

**02.08.2024**

Index : Yes/No  
Speaking Order : Yes/No  
dpa

To:

1. The Principal Secretary to Government,  
Animal Husbandry, Dairying and Fisheries Department,  
Government of Tamil Nadu  
Secretariat, Chennai – 600 009.

Page No.4 of 6



W.P. No.8141 of 2021

- 2.The Registrar,  
Tamilnadu Veterinary and Animal Sciences University,  
Madhavaram Milk Colony, Chennai – 600 051.
- 3.The Dean,  
Madras Veterinary College, Chennai – 600 007.
- 4.The Dean,  
Veterinary College and Research Institute,  
Namakkal – 637 002.
- 5.The Dean,  
Veterinary College and Research Institute,  
Thalaivasal, Koot Road, Salem – 636 112.
- 6.The Finance Officer,  
Tamilnadu Veterinary and Animal Sciences University,  
Madhavaram Milk Colony,  
Chennai – 600 051.
- 7.The Accounts Officer,  
Accounts Section,  
Veterinary College and Research Institute,  
Namakkal – 637 002.
- 8.The Deputy Director of Local Fund Audit,  
TANUVAS Audit  
Madras Veterinary College Campus,  
Chennai- 600 007.



WEB COPY



W.P. No.8141 of 2021

**MUMMINENI SUDHEER KUMAR,J.**

dpa

W.P.No.8141 of 2021

and

W.M.P.No.8702 & 11635 of 2021

02.08.2024