



W.P.No.13700 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.02.2024

Coram:

THE HONOURABLE MR. JUSTICE BATTU DEVANAND

Writ Petition No.13700 of 2018

and

W.M.P.No.16216 of 2018

1.R.Vignesh
2.M.Babuji
3.M.Prasanth
4.C.Karthikeyan

.. Petitioners

/versus/

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

2.The Director,
Directorate of Animal Husbandry and
Veterinary Services Department,
DMS Complex, Chennai 600 006.

3.The District Collector,District Collectorate,
State Bank Road, Gopalapuram, Coimbatore,
Tamil Nadu 641 018.

4.The District Collector,
District Collectorate,
Thiruppuvanam Pudur,
Sivagangai, NH-49,
Kochi Dhanushkodi Road,
Sivagangai, Tamil Nadu 630 611.



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5. The District Collector,
District Collectorate,
Karuppa Gaundanpalayam,
Tiruppur, Tamil Nadu 641 604.

.. Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for records and to quash the impugned online Notification no number dated 07.02.2018 TNAHD Recruitment 2018, which is the basis of Notifications issued by the 1st respondent and direct the 1st respondent to adopt uniformity in inviting applications for the post of Animal Husbandry Assistants.

For Petitioners :Mr.R.Babu

For Respondents :Mr.Alagu Goutham,
Government Advocate

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and also perused the records.

2. This Writ Petition has been filed seeking to quash the Notification issued on different dates granting different period to make



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an application for the post of Animal Husbandry Assistant and consequently, to direct the 1st respondent to adopt uniformity in inviting the application for the post of Animal Husbandry Assistant.

3. The learned counsel appearing for the petitioner submits that vide Notification dated 01.02.2018, applications were invited for 49 vacancies of Animal Husbandry Assistant in Coimbatore, among other similar criteria and conditions compared with all other Districts the last date for submission of application was 12.02.2018 granting only 12 days for submitting the application for the said post, but with respect to the Tiruppur District, Notification was issued on 01.02.2018, calling for applications for 73 vacancies of Animal Husbandry Assistant and the last date for submission of application was fixed on 09.02.2018 granting only 9 days for applying for the said post. In the sameway, in some other Districts also, the date of Notification and the time granted to submit application are changed.

4. The learned counsel for the petitioner submits that prescribing different period of time as last date for submitting the



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applications is discriminatory, arbitrary, unjust and against law, which deprive the prospective applications from submitting their applications due to short period of interval between the date of Notification and the last date of submission of application and sought to quash the on-line Notification issued on 07.02.2018 for the Recruitment for the post of Animal Husbandry Assistants in Tamil Nadu Animal Husbandry Department in the year 2018 and sought to allow the Writ petition.

5. On behalf of the respondents, counter-affidavit has been filed. Based on the averments made in the said affidavit, the learned Government Advocate would submit that since the vacancies for the post of Animal Husbandry Assistants are to be filled at the District Level with the consent of the District Collectors, the date of issuance and receipt of the application forms may vary. As far as the Tiruppur District is concerned, the filled applications were received from 01.02.2018 to 09.02.2018 (9 days) even on Government holidays.

6. The learned Government Advocate further contends that permission was granted by the first respondent to issue Notifications to



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fill up the vacancies of Animal Husbandry Assistants and to receive the applications from the qualified candidates in all Districts in TamilNadu vide, letter in Lr.Na.Ka.No.16394/Ka.PA.6/2017, dated 03.11.2017 and letter in Lr.No.Na.Ka.53288/N-1/2017, dated 17.01.2018 issued by the second respondent. In the said letters, it was directed to conduct a personal interview with the candidates, who had applied for the said post and to finalise the selected candidates and to issue appointment orders with the consent of the concerned District Collector. Insofar as Tiruppur District is concerned, 5379 applications were received for 73 vacancies. The learned Government Advocate also submits that there is no irregularities in issuing the Notifications for each District by the concerned District Collector on different dates fixing the time to submit the applications and sought to dismiss the Writ Petition.

7. Having heard the submissions of the respective counsels appearing on either side and on perusal of the materials available on record, it appears that the petitioner filed this Writ Petition against the Notification issued on different dates in each district and fixing the last date to receive the application granting different times in each



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Notification. But, in the affidavit filed by the petitioner, it is not stated, what is the loss caused to him as the Notifications issued by the District Collectors on different dates and fixing different time schedule. It is also not stated anywhere in the affidavit of the petitioner, whether he has submitted the application or not in any District and if he submitted the application, whether it was considered by the respondents or not?.

8. Under these circumstances, this Court finds some force in the contention of the learned Government Advocate that the post of the Animal Husbandry Assistant is the District level post and Notification was issued calling for applications from the qualified candidates in each District as per the instructions issued by the first and second respondents. The petitioner cannot insist the respondents, who are all the District Collectors in the State of Tamil Nadu to issue Notification only on a particular date and to fix time schedule as he intends. Besides this, the petitioner failed to demonstrate that any loss caused to him in the Notification issued by the District Collectors in each District. It appears no prejudice caused to him.



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9. Under these circumstances, this Court is of the opinion that the petitioner failed to make out any case warranting interference of this Court under Article 226 of the Constitution of India. Accordingly, this Writ Petition is liable to be dismissed .

10. Accordingly, this Writ Petition is dismissed.

11. Consequently, connected Miscellaneous Petition is closed.

12. There shall be no order as to costs.

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Index:yes/no
Speaking order/non speaking order
Neutral citation:yes/no
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To:

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Animal Husbandry, Dairying and Fisheries Department,
Secretariat, Fort St.George, Chennai 600 009.



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BATTU DEVANAND, J.

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