



WEB COPY



W.A.No.3427 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

CORAM:

THE HONOURABLE Mr. JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE Mr. JUSTICE HEMANT CHANDANGOUDAR

W.A.No.3427 of 2025
and C.M.P.Nos.28020 and 28021 of 2025

C.Karthikeyan,
S/o.M.Chinnasamy

...Appellant

Vs.

1. The Director,
Animal Husbandry and Veterinary Service,
Theynampettai, Chennai – 6.
2. The Principle 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 Speciality Hospital Campus,
Salem – 1.

...Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent Act, to allow this writ appeal and set aside the order passed in W.P.No.235 of 2022 dated 02.07.2024.



For Appellants : Mr.M.Elango
For Respondent : Mr.E.Vijay Anand,
Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by R. SURESH KUMAR, J.)

This intra-court appeal has been directed against the order passed by the Writ Court dated 02.07.2024 made in W.P.No.235 of 2022.

2. The respondent/Department invited applications by issuing a notification to fill up 1573 post of Animal Husbandry Assistant in the respondent Department. The 8th standard qualification possessed by the petitioner as was the prescribed qualification at the time he made the application.

3. However, the said notification was cancelled on 25.12.2017, by issuance of a G.O.Ms.No.249, Animal Husbandry, Diary and Fisheries (AH6) Department, dated 20.12.2011 and a fresh notification inviting application for the post of Animal Husbandry Assistant with enhanced qualification was issued.



W.A.No.3427 of 2025

4. The reasons have been stated for the enhancement of qualification and based on which, the subsequent notification was issued inviting applications from the eligible candidates to fill up the post of Animal Husbandry Assistant.

5. Since the petitioner/appellant was having only 8th standard qualification, he had challenged the said G.O.Ms.No.249, Animal Husbandry, Diary and Fisheries (AH6) Department, dated 20.12.2011 before the Writ Court.

6. The learned Writ Court having considered the factual matrix has dismissed the writ petition stating that the qualification prescribed as 10th standard is within the domain of the employer i.e., the respondents and there is no infirmity in enhancement of the qualification by issuing a fresh notification to call for application for filling the post of Animal Husbandry Assistant.

7. Aggrieved over the same, the present appeal has been filed and in respect of the appeal, the learned counsel for the appellant would submit that it is a discrimination that the persons who completed 8th standard had been discriminated as the qualification since has been



W.A.No.3427 of 2025

enhanced to 10th standard, those who completed 8th standard and not having the 10th standard would be deprived of having the chance of making an application for getting the appointment to the post of Animal Husbandry Assistant.

8. This argument, we are not accepting for the simple reason that it is a settled proposition that prescribing a minimum eligibility criteria i.e., educational qualification, etc., is the sole decision and discretion of the employer, wherein unless the contrary is proved i.e., arbitrariness, violative of the statute or if the prescription is unconstitutional, normally the Court would not interfere with the minimum eligible criteria fixed by the employer for any post in Governmental Organization.

9. Herein the case in hand, the post called for is Animal Husbandry Assistant, which is a entry level post and also a Group – C post, which is higher than the lower Grade Post i.e., Group – D post, therefore, the eligibility criteria i.e., Educational qualification of 8th standard since would be applicable only to Group – D post and lower Grade servant category, naturally the qualification has to be enhanced atleast 10th standard and therefore, that exercise since has been undertaken by the respondent Government through the Government Order i.e.,



W.A.No.3427 of 2025

G.O.Ms.No.249, Animal Husbandry, Diary and Fisheries (AH6)

Department, dated 20.12.2011, the same cannot be questioned on any valid ground as has been projected by the learned counsel appearing for the appellant. Therefore, we do not find any reason in interfering with the order passed by the Writ Court.

As a result of which, the appeal fails, hence, it is dismissed. No costs. Connected miscellaneous petitions are closed.

(R.S.K., J.) (H.C., J.)
13.11.2025

mp

Index: Yes/No

Neutral Citation: Yes/No

To

1. The Director,
Animal Husbandry and Veterinary Service,
Theynampettai, Chennai – 6.
2. The Principle 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 Speciality Hospital Campus,
Salem – 1.

5/6



WEB COPY



W.A.No.3427 of 2025

R. SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.

mp

W.A.No.3427 of 2025
and C.M.P.Nos.28020 and 28021 of 2025

13.11.2025