



W.P.Nos.42364, 36820, 38989 & 39973 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 26.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.42364, 36820, 39973, 38989 of 2025
and

W.M.P.Nos.41198, 44895, 43666, 43667, 47342 & 47344 of 2025

Dr.P.Muthuramalingam

.... Petitioner in
W.P.No.36820 of 2025

1.S.Sudhakar

2.J.Saranya

.... Petitioners in
W.P.No.39973 of 2025

1.K.Prema

2.L.Usha Priya

3.Jeenath Unnisha

4.K.Selvi

5.P.Deepa

6.Sathya Anbazhagan

.... Petitioners in
W.P.No.38989 of 2025

M.Lakshmi

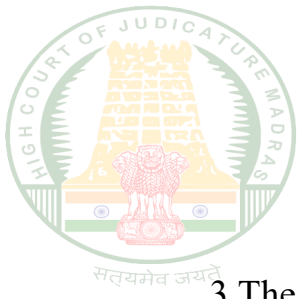
.... Petitioner in
W.P.No.42364 of 2025

Vs

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

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

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

.... Respondents

Common Prayer : Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent in respect of the impugned Notification in G.O.Ms.No.147, Animal Husbandry, Dairying, Fisheries & Fishermen Welfare (AH1-2) dated 14th August 2025 published in Tamil Nadu Government Gazette No.478 dated 14.08.2025 and quash the same and consequently direct the first respondent to follow the provisions contained in The Indian Veterinary Council Act 1984 and the minimum qualifications adopted by other states in the matter of qualification for appointment of Livestock Inspectors in the Department of Animal Husbandry and Veterinary Services.

For Petitioner : Mrs.R.Maheswari
(in all W.Ps)

For R1 & R2 : Mr.R.U.Dinesh Raj Kumar
(in all W.Ps) Additional Government Pleader

For R3 : Mr.B.vijay
(in all W.Ps) Standing Counsel

COMMON ORDER

These Writ Petitions have been filed challenging G.O.Ms.No.147, Animal Husbandry, Dairying, Fisheries and Fishermen Welfare (AH1-2) dated 14.08.2025 with consequential direction to the first respondent to

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follow the provisions contained in the Indian Veterinary Council Act, 1984 (hereinafter referred to as “the Act”).

2. These writ petitions have been filed by the persons who are working as Animal Husbandry Assistants from the year 2008 and by those who are working as Veterinary Assistant Surgeons in the Department of Animal Husbandry and Veterinary Services. The petitioners who are working as Animal Husbandry Assistants were called for to undergo eleven months training programme for promotion to the post of Livestock Inspector Grade-II, conducted by the Department of Animal Husbandry and Veterinary Sciences. The petitioners have been working for more than 17 years without any promotion and applied for the said course in order to get promotion to the Livestock Inspector Grade-II. They were selected and deputed for the eleven months training programme from 10.04.2023 to 09.03.2024. However, the same was subsequently cancelled by virtue of the amendment brought to the Rules prescribing the qualification for direct recruitment to the post of Livestock Inspector Grade-II, as per the impugned amendment which is under challenge. As per the amendment Rules, the qualification for the post of Livestock Inspector Grade-II, is as follows :



Sl.No	Method of Recruitment	Qualifications
1	By Direct Recruitment	(a) A degree from any recognized University (b) A pass in the higher secondary course with Biology or Botany or Zoology as one of the subjects
2	By promotion	(a) (i) A degree from any recognized University (ii) A pass in the higher secondary course with Biology or Botany or Zoology as one of the subjects. (b) Must possess 5 years regular service in the Department. (c) Must have completed probation in the feeder category. (d) Should not have completed 58 years of age on the first day of July of the year in which the selection is made.

3.Further, every person appointed either by direct recruitment or by promotion is required, during the period of probation, to have completed the eleven months Livestock Inspector Training and to have passed the Departmental Tests in Animal Husbandry. The Government of Tamil Nadu has framed the Ad-hoc Rules relating to the post of Livestock Inspector Grade-II in the Animal Husbandry Subordinate Services by following the provisions of the Act. The proviso to Rule 30 of the Act provides for the eligibility of persons to render 'minor veterinary



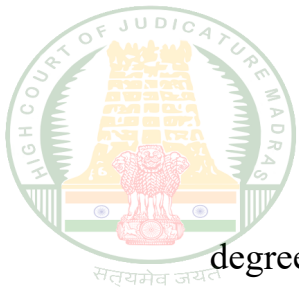
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services'. Accordingly, a candidate should possess a Diploma in

Veterinary Supervisor, Stockman or Stock Assistant, conducted by any Veterinary University or a certificate of Veterinary Supervisor, Stockman or Stock Assistant, issued by the Directorate of Animal Husbandry. The minimum educational qualification for admission to the said diploma or certificate course is +2 or its equivalent.

4. According to Rule 30 of the Act, the respondents had fixed +2 qualification as the eligibility criteria for appointment to 'minor veterinary services', viz., Livestock Assistant Grade-II/Livestock Inspector Grade-II and had imparted eleven months training to such candidates to make them eligible for the said para veterinary posts. The certificate course in Veterinary Nursing Assistant has also been introduced and conducted by the Tamil Nadu Veterinary and Animal Sciences University from the academic year 2017-2018 to enable +2 qualified candidates to acquire the requisite qualification for the posts in para veterinary services. This methodology has been followed and adopted by all States in the country. However, by way of amendment to the existing ad-hoc rules for the post of Livestock Inspector Grade-II, the respondents enhanced the educational qualification for the said post to a

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degree from any university. The amendment also contemplates

appointment to the said post by direct recruitment through Tamil Nadu Public Service Commission, based on the proposal of the second respondent. It was accepted by the first respondent and G.O.Ms.No.147, Animal Husbandry, Dairying, Fisheries and Fishermen Welfare (AH1-2) dated 14.08.2025 was issued, thereby amending the ad-hoc rules relating to the post of Livestock Inspector Grade-II in the Animal Husbandry Subordinate Services. The said notification is under challenge in all these writ petitions on the following grounds.

(i) The petitioners, who are working as Animal Husbandry Assistants, initially possessed qualifications of 8th Standard and 10th Standard, subsequently, they have acquired +2 qualification.

(ii) As per the amended Rules, the petitioners have been deprived of their promotional avenue to the post of Livestock Inspector Grade-II, which is the feeder category post. The Act has been extended to the State of Tamil Nadu with effect from 01.09.2002. However, the first respondent failed to follow the provisions of the Act and mechanically amended the ad-hoc Rules. The proviso to Rule 30 of the Act prescribes the eligibility for rendering “minor veterinary services” and mandates that the candidates should possess a Diploma in Veterinary Supervisor,

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Stockman or Stock Assistant, conducted by a Veterinary university or a

Certificate of Veterinary Supervisor, Stockman or Stock Assistant issued by Directorate of Animal Husbandry. Therefore, it is the technical post requiring specialized training for the post.

(iii) The post of Livestock Inspector Grade-II is on par with the para medical posts (Health Inspector) in the Department of Health, which requires candidates to complete para medical courses, such as Sanitary Inspector, Nursing, Pharmacy, etc. These are technical posts requiring specified training in the relevant field. By amending the eligibility qualification to include any degree from any university, along with +2 qualification with Biology, Botany or Zoology as one of the subjects, the respondents have adversely affected the prospects of persons who are holding the Animal Husbandry Assistant, which is the feeder cadre for the post of Livestock Inspector Grade-II.

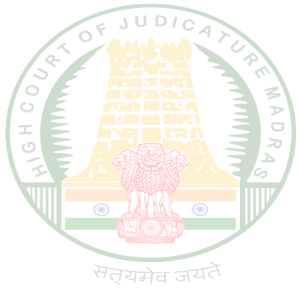
(iv) The post of Livestock Inspector Grade-II falls under Group-IIA, which is an interview post. The amendment paves the way for a person holding the post of Livestock Inspector to undergo a sixty days foundation course conducted by Civil Service Training Institute under the Personnel and Administrative Reforms Department of the Government of Tamil Nadu, thereby enabling such persons to compete for administrative



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posts, which is wholly inconsistent with the technical nature of the Livestock Inspector Grade-II post.

(v) As per the amendment, the para veterinary post of Livestock Inspectors with a degree qualification will become eligible to the administrative post of Assistant Director. Therefore, there will be an increase in competitors to the Veterinary Assistant Surgeons for promotional posts and would also create a higher promotional hierarchy above the Veterinary Assistant Surgeon and will give higher promotional opportunities, such as Assistant Director, Deputy Director and Joint Director of Animal Husbandry. These are administrative posts and such an impugned amendment will pave the way for the promotion to the persons holding the para veterinary post of Livestock Inspector by promotion much faster than the Veterinary Assistant Surgeon, that too, without qualification of Bachelor of Veterinary Science. The amendments enable the persons, who are qualified with Bachelor of Veterinary Science degree to be eligible for the para veterinary post which should bring non-parity among the persons who are working as Veterinary Assistant Surgeons.

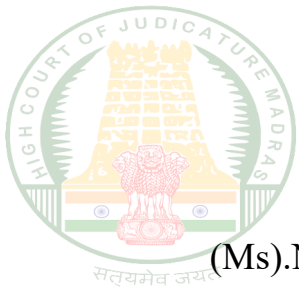


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5.The learned Additional Government Pleader appearing for the

first and second respondents submitted that the Government of Tamil Nadu originally established the rules for the post of Stockmen in 1956, requiring candidates to have passed the Final Stockmen Course Examination conducted by the Madras Veterinary College. By G.O.(Ms) No.2004, Agriculture Department, dated 16.08.1956, the Government of Tamil Nadu created the post of Stockmen (Livestock Assistant Grade-II) and stipulated the essential qualification for the said post. The Rules were subsequently amended by G.O.(Ms) No.94, Food and Agriculture Department, dated 09.01.1963, wherein among other changes, the post was redesignated from “Stockmen” to “Livestock Assistant Grade-II”.

6.He further submitted that under G.O.(Ms) No.597, dated 08.12.1989, the Government decided to enhance the required qualification for Livestock Inspector training and appointment. The minimum educational requirement was raised from Secondary School Leaving Certificate to Higher Secondary School. He also submitted that the Act was enacted and the provisions of the Act were extended to the State of Tamil Nadu with effect from 01.09.2002, by a notification published in the official Gazette on 02.08.2002. Pursuant to G.O. 9/30



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(Ms).No.181, dated 07.11.2007, the Government of Tamil Nadu

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prescribed the eligibility criteria for in-service candidates from the post of Animal Husbandry Assistant to undergo training for Livestock Inspector Grade-II. It was mandated that the aspirant must have completed five years of regular service, possess a Higher Secondary qualification, have successfully completed probation in the feeder category, maintain a clear disciplinary record without any pending or concluded charges, and undertake to serve for a minimum period of ten years. On successful completion of the eleventh month training period, the candidates are exempted from the payment of the training fee of Rs.1,500/-.

7.He also submitted that the training programme for the post of Livestock Inspector Grade-II is common to both direct recruits and in-service departmental staff, such as Animal Husbandry Assistants, Junior Assistants and Typists. As per G.O.(Ms) No.10, dated 27.01.2012, a total of 1050 vacant posts of Livestock Inspector Grade-II were proposed to be filled through phased recruitment of 350 persons per year during the financial years 2011-2012, 2012-2013 and 2013-2014. The candidates recruited during the first two phases were sent for training and upon 10/30



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successful completion of the training, were absorbed into the respective posts.

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8.He further contended that the eligibility of in-service candidates to undergo the training programme is governed by G.O.(Ms) No.181, dated 07.11.2007, which mandates the possession of Higher Secondary qualification and the completion of five years of regular service in the feeder category. Further, while all in-service candidates are required to have a minimum remaining service after completion of training, the specific requirement for Animal Husbandry Assistants, which was originally fixed at ten years, was subsequently reduced to five years by G.O.(Ms) No.37, dated 19.03.2009.

9.In the light of the above recommendations, the first respondent, as per the proposal sent by the second respondent, issued G.O.(Ms) No.147, Animal Husbandry, Dairying, Fisheries and Fishermen Welfare (AHI-2) Department, dated 14.08.2025, thereby amending the ad-hoc Rules and prescribing revised qualifications for the post of Livestock Inspector Grade-II. Further, the petitioners, who were appointed as Animal Husbandry Assistants, were selected through Employment 11/30

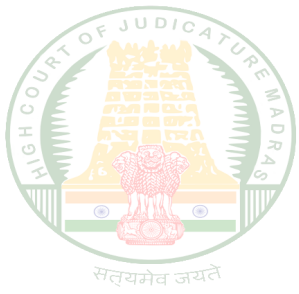


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Exchange and the required qualification for the said posts at the time was

only 8th Standard with appearance in 10th Standard, though they were selected to undergo training at the Naduvloor Animal Husbandry Farm, since their scale of pay for Livestock Inspector Grade-II has been upgraded and on par with other posts carrying similar pay. Therefore, it became necessary for the first respondent to amend the ad-hoc Rules. The said amendment was made by exercising the powers under Article 309 read with Article 162 of the Constitution of India, with effect from 26.02.2021. Consequently, the pay scale for the said post was revised to be on par with TNPSC Group-II Services and therefore, a degree qualification was made mandatory for appointment to the post of Livestock Inspector Grade-II. The policy decisions fall within the domain of the elected Government and the scope for judicial interference is limited. Hence, the writ petitions are devoid of merits and are liable to be dismissed.

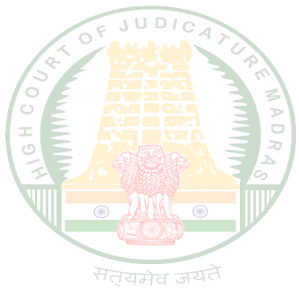
10. Heard the learned counsel appearing on either side and perused the materials available on record.



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11.The petitioners are working as Assistant Veterinary Surgeons

and Animal Husbandry Assistants in the veterinary dispensaries in the State of Tamil Nadu. In order to regulate veterinary practice, and to establish a Veterinary Council of India and State Veterinary Councils, Parliament enacted Act 52 of 1984, viz., the Indian Veterinary Council Act, 1984. The said Act has been extended to all State Governments and insofar as State of Tamil Nadu is concerned, with effect from 01.09.2002 pursuant to a notification published in the Extraordinary Gazette of India dated 29.08.2002. As per the said Act, the Government of Tamil Nadu has framed the Ad-hoc Rules relating to the post of Livestock Inspector Grade-II for Animal Husbandry Subordinate Services. The proviso to Rule 30 of the Act prescribes the eligibility of persons to render 'minor veterinary services'. Accordingly, the candidate must possess a Diploma of Veterinary Supervisor, Stockman or Stock assistant, conducted by any Veterinary University or a certificate of Veterinary Supervisor, Stockman or Stock Assistant (by whatever name called) issued by the Directorate of Animal Husbandry. Further, the minimum educational qualification for admission to the said Diploma or Certificate course is +2 or its equivalent.



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12.The selected candidates are required to undergo eleven months

of training in order to become eligible for the said para veterinary posts.

Subsequently, the certificate course in Veterinary Nursing Assistant was introduced and conducted by the Tamil Nadu Veterinary and Animal Sciences University from the academic year 2017-2018 to enable candidates who have completed +2 to acquire the requisite qualification for appointment in para veterinary services. This methodology has been adopted by all the States in the country. The para veterinary services are permitted to render the minor veterinary services under the Act. The Minor Veterinary Services are as follows:

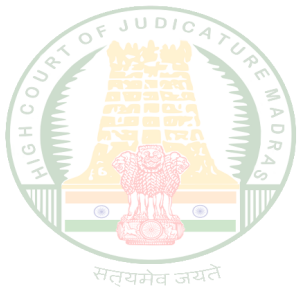
“(1) Application or administration of the drugs as specified in the “Schedule H’ of the Drugs and Cosmetic Rules, 1945 under the Drugs and Cosmetics Act 1940 (23 of 1940) strictly as prescribed by a registered veterinary practitioner.

(2) Compounding and dispensing of drugs/therapeutic preparations.

(3) Rendering preliminary aid through oral administration of analgesics and antipyretics in cases of pain and fever.

(4) Performing castration by closed method, de-horning, dis-budding and de-beaking.

(5) Assisting registered veterinary practitioner in



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surgical/gynaecological interventions.

(6) Prophylactic vaccination of animals.

(7) Handling of superficial ailments like wounds, abscesses, external/superficial haemorrhages burns etc.

(8) Washing of mouth, hooves, feet, udder etc with antiseptic/medicated preparations in conditions like foot and mouth disease, mastitis, stomatitis etc.

(9) Collection and dispatch of samples of blood, serum, urine, faeces, semen, milk and other specimens for laboratory examination.

(10) Assisting in the surveillance of infectious diseases, laboratory investigations and other related technical works including outbreak control measures.

(11) Collect, compile, maintain and report disease related data.

(12) Provide first-aid in case of emergencies.”

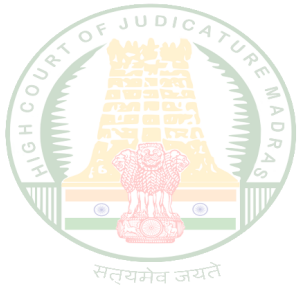
13. That apart, artificial insemination is also performed by trained persons including the Livestock Inspectors who are specifically trained for that purpose by the Department of Animal Husbandry or Tamil Nadu Livestock Development Agency. A perusal of the prospectus issued by the Tamil Nadu Veterinary and Animal Sciences University for the Certificate course in Veterinary Nursing Assistant makes it clear that the eligible criteria for admission to the said certificate course is a pass in the



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Higher Secondary Course with Botany, Zoology and Biology subjects,

along with Chemistry and Physics. Thus, it is clear that the science subjects are mandatory to undergo such courses and to qualify for the post of Livestock Inspector Grade-II. Thus, it is clear that the duties of the Livestock Inspector Grade-II is similar to compounder in the allopathic medicine and are comparable to para medical posts (Health Inspector) in the Department of Health who are required to complete para medical courses such as Sanitary Inspector, Nursing, Pharmacy, etc. These posts are technical posts requiring specified training and qualifications in the relevant field. It is also pertinent to mention that Veterinary Nursing Assistants had earlier filed writ petition before the Madurai Bench of this Court in W.P.(MD) No.6474 of 2021 seeking salary and promotion on par with Ministerial staff. By order dated 23.03.2021, this Court directed to consider their representations on merits. Pursuant to the said directions, the second respondent, after due enquiry, passed a detailed order dated 23.08.2021 and rejected the request made by them. While rejecting the request, the second respondent discussed that the post of Livestock Grade – II filled up only with suitably qualified and eligible persons.



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14. Before 1989, the qualification prescribed for the post was

SSLC, which was subsequently enhanced to +2. The post of Livestock Inspector Grade-II is filled both by direct recruitment and by promotion in the ratio of 85% by direct recruitment, 10% by promotion and 5% from ex-servicemen through the Employment Exchange. The 10% promotional quota is filled from Animal Husbandry Assistants, Drivers and Laboratory Assistants who have completed five years of service and are willing to be considered based on their seniority. Thereafter, they have to undergo eleven months training programme conducted by the Department of Animal Husbandry and Veterinary services. Their salary was initially fixed at Level-8 (Rs.19500-62000). Thereafter, as per One Man Commission recommendation, the Government issued G.O. (Ms).No.59, Finance Department, dated 26.02.2021, thereby revising the scale of pay to Level-10. Prior to 2012, those who completed eight years of service as Livestock Inspector Grade-II were eligible for promotion to the post of Livestock Grade-I. Subsequently, as per G.O.(Ms).No.159, dated 14.09.2012, those who completed five years of service in the post of Livestock Inspector Grade-II became eligible for promotion to the post of Livestock Grade-I in Level 11. Further, those who completed three years of service as Livestock Grade-I became eligible for promotion

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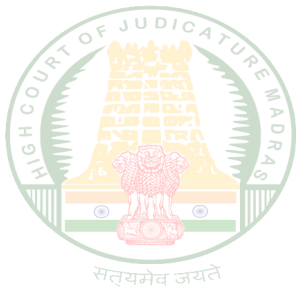
to the post of Senior Veterinary Superintendent in Level-16. Whereas the

duties of Veterinary Assistant Surgeon include treatment of animals, surgeries, artificial insemination and other technical veterinary services.

Therefore, the posts of Senior Veterinary Superintendent and the Veterinary Assistant Surgeon are completely different in nature and it cannot be compared in any manner. Therefore, the request of the Senior Veterinary Superintendents seeking equivalent salary on par with Veterinary Assistant Surgeon cannot be considered.

15.Now, the very same second respondent recommended amendment of the ad-hoc Rule governing recruitment to the post of Livestock Inspector Grade-II, thereby opening the door for such post to be placed on par with, and even above, the post of Veterinary Assistant Surgeon leading to promotion to higher administrative posts such as Assistant Director of Animal Husbandry, Deputy Director of Animal Husbandry, Joint Director of Animal Husbandry and Director of Animal Husbandry. As per the amended Rules, the educational qualification prescribed for the post of Livestock Grade-II is as follows :

Sl.No (1)	Method of Recruitment (2)	Qualifications (3)
1	By direct recruitment	(a) A degree from any recognized university



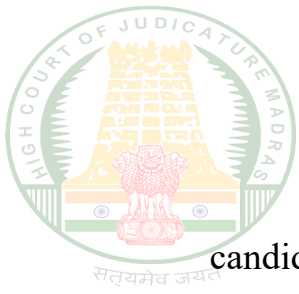
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		(b) A pass in the higher secondary course with Biology or Botany or Zoology as one of the subjects.
2	By promotion	(a)(i) A degree from any recognized university (ii) A pass in the higher secondary course with Biology or Botany or zoology as one of the subjects. (b) Must possess 5 years regular service in the Department. (c) Must have completed probation in the feeder category. (d) Should not have completed 56 years of age on the first day of July of the year in which the selection is made.

16.It is contrary to the Act, since the first respondent failed to follow the provisions contained in the Act. The post of Livestock Grade-II is a technical post. As per the Act and Rules, a candidate is required to possess a Diploma in Veterinary Supervisor, Stockman or Stock Assistant conducted by any Veterinary University or a certificate of Veterinary Supervisor, Stockman or Stock Assistant issued by the Directorate of Animal Husbandry. The said post is comparable to para medical post such as Health Inspector in the Department of Health who are required to complete medical courses like Sanitary Inspector, Nursing, Pharmacy, etc. The eligibility educational qualification for the said post that the



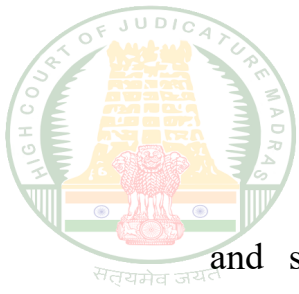
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candidate must have passed +2 with Biology, Botony and Zoology, must

have passed Tamil Language as a subject in SSLC level and must posses two years Multipurpose Health Worker (Male) Course/Health Inspector/Sanitary Inspector Course certificate granted by the Director of Public Health and Preventive Medicine. The eligibility qualification for the post of Livestock Inspector Grade-II is to acquire a degree from any university and there is a proposal to make the recruitment through the third respondent to such posts under Group IIA, a non-interview post. The amendment paves way for a person holding the post of Livestock Inspector to pass the 60 days foundation course training for Group-IIA conducted by Civil Service Training Institute, owned by Government of Tamil Nadu under Personnel and Administrative Reforms Department, in order to compete for administrative posts. Accordingly, the technical post will become administrative posts such as Assistant Director and other promotional posts. It will create a higher hierarchy above the Veterinary Assistant Surgeon and it will give higher promotional opportunities.

17.Insofar as the Animal Husbandry Assistants are concerned, they will be deprived of their promotional avenue to the post of Livestock Inspector Grade-II. In fact, based on their applications, they were called

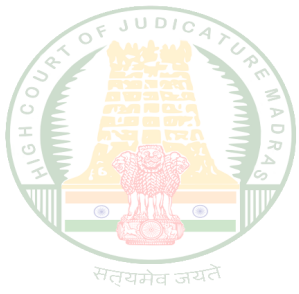
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and selected for the mandatory eleven months training programme

required for appointment to the said post. However, subsequently, the said selection was cancelled and the amendment to the ad-hoc Rules for recruitment to the post of Livestock Inspector Grade-II was brought in. As per the pre-amendment Rules, the educational qualification for the post of Livestock Inspector Grade-II was +2 in any group. By the impugned amendment, the educational qualification has been altered to a degree from any University along with Higher Secondary Course with Botany or Biology or Zoology as any one of the subjects. It deprives the Animal Husbandry Assistants, the promotion/appointment to the post of Livestock Grade-II as they come under the feeder category. Therefore, the amendment in the ad-hoc Rule is seriously affecting the career of the feeder category post from competing for the post of Livestock Inspector Grade-II by undergoing the technical training imparted by the Department of Animal Husbandry and Veterinary Services. Pursuant to the impugned amendment, the third respondent issued an Addendum Notification No.11, dated 15.07.2025, thereby notifying the vacancies to the post of Livestock Grade-II under Group-IIA service. The said Addendum notification was issued, while pending writ petition.



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18.The learned counsel appearing for the petitioners brought to the

notice of this Court that originally, the third respondent issued notification No.11 of 2025 dated 15.07.2025 for recruitment to various posts under the Combined Civil Services Examination-II (Group II and IIA services) inviting applications for 50 posts under Group-II and 595 posts under Group-IIA. The last date for submission of applications was 13.08.2025. Subsequently, the third respondent issued an Addendum Notification dated 18.11.2025, notifying an additional 32 posts under Group-II and 593 posts under Grade-IIA including 439 posts of Livestock Inspector Grade-II. However, by way of Addendum notification, the applicants were invited to apply for the post of Livestock Grade-II. By the Addendum notification, the said post was introduced with 439 vacancies under Group IIA. It is unfortunate that when the third respondent issued Addendum notification by introducing new post under Group-IIA (Non-interview post) for the post of Livestock Inspector Grade-II, the third respondent had failed to provide an opportunity to eligible candidates to apply afresh. As per the original notification dated 15.07.2025, the last date for submission of applications had already expired and also written examinations were conducted for the candidates who had applied earlier. Consequently, a large number of eligible and

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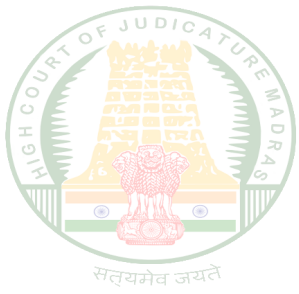


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qualified candidates were deprived of the opportunity to apply for the post of Livestock Inspector Grade-II resulting in grave prejudice and arbitrariness in the recruitment process.

19. The learned Additional Government Pleader for the respondents 1 and 2 vehemently contended that the impugned amendment is a policy of the Government made in exercise of its power under Article 309 read with Article 162 of the Constitution of India. In a democratic system, policy decisions lie within the domain of the elected Government, and the scope for judicial interference is limited. Article 309 deals with the recruitment and conditions of services of persons serving under the Union and the States. It forms the cornerstone of the legal framework governing the recruitment and conditions of service of persons employed in public services and posts under both the Union and the States. It ensures that the appointments to government posts are regulated by a consistent and constitutionally valid system of rules, thereby upholding principles of administrative order, accountability and fairness within the Indian civil services structure. The effective functioning of the administrative machinery of the Union and States required a well-defined legal and procedural framework governing recruitment, tenure, promotion and service conditions of public officials.

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20. The proviso to Article 309 plays a crucial role in ensuring continuity of administration. It prevents administrative paralysis by empowering the executive to frame necessary regulations in the absence of legislative action. The rule framed under this provision—commonly known as “Service Rules”—cover aspects such as :

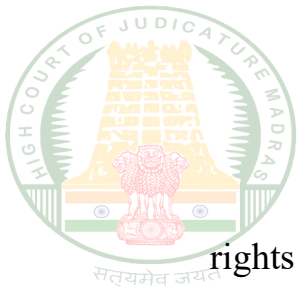
- * Method of recruitment (direct or through promotion)
- * Qualifications for appointment.
- * Pay scales and allowances.
- * Leave, transfer, and person entitlements
- * Conduct and discipline.

Some notable examples include :

- * Central Civil Services (Classification, Control and Appeal) Rules, 1965.
- * Central Civil Services (Conduct) Rules, 1964.
- * State Civil Services Rules framed by individual States under their respective executive powers.

These rules ensure a standardised and transparent framework for managing public services.”

21. While Article 309 empowers the executive to make rules such power is not absolute. Hence, the rules cannot follow the fundamental



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rights or other constitutional provisions. They remain subject to judicial

review to ensure reasonableness and fairness. Once a law is enacted by

the Legislature, the rules cease to operate to the extent of inconsistency.

Any arbitrary or discriminatory exercise of power under Article 309 may

be struck down by the Courts. In this regard, it is relevant to rely upon

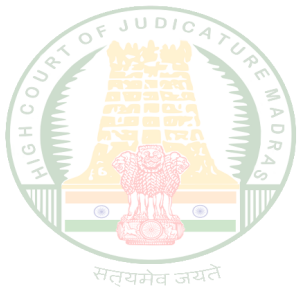
the Judgment of the Hon'ble Supreme Court of India in the case of

Andhra Pradesh Dairy Development Corporation Federation

Vs.B.Narasimha Reddy and others reported in ***(2011) 9 SCC 286***,

wherein it was held as follows :

“29. It is a settled legal proposition that Article 14 of the Constitution strikes at arbitrariness because an action that is arbitrary, must necessarily involve negation of equality. This doctrine of arbitrariness is not restricted only to executive actions, but also applies to the legislature. Thus, a party has to satisfy that the action was reasonable, not done in unreasonable manner or capriciously or at pleasure without adequate determining principle, rational, and has been done according to reason or judgment, and certainly does not depend on the will alone. However, the action of the legislature, violative of Article 14 of the Constitution, should ordinarily be manifestly arbitrary. There must be a case of substantive unreasonableness in the statute itself for



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declaring the act ultra virus Article 14 of the Constitution.”

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22.Thus, Article 14 of the Constitution of India strikes at arbitrariness because an action that is arbitrary, must necessarily involve negation of equality and violation of rule of law. Recently, the Constitutional Bench of Hon'ble Supreme court of India also held in the case of ***Association for Democratic Reforms and another (Electoral Bond Scheme) Vs. Union of India and others*** reported in (2024) 5 SCC 1, held as follows :

“215. The proposition on the principle of manifest arbitrariness culled out above needs to be recalled. The doctrine of manifest arbitrariness can be used to strike down a provision where (a) the legislature fails to make a classification by recognising the degrees of harm ; and (b) the purpose is not in consonance with constitutional values.”

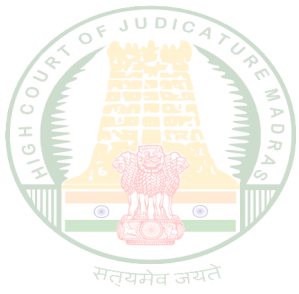
23.The above Judgments are squarely applicable to the case on hand, since the amendment to the ad-hoc rules relating to the post of Livestock Grade-II in the Animal Husbandry Subordinate Service is contrary to the provisions of the Indian Veterinary Council Act 1984. The



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first respondent completely floated the Veterinary Council Act, 1984 and

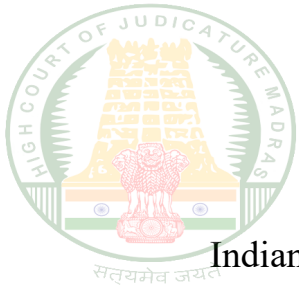
brought amendment to the ad-hoc rules without even appreciating the impact of the same in the career of Animal Husbandry Assistants and also without considering the nature of duties attached to the post of Livestock Inspector Grade-II. If the person who is qualified with a degree or more is appointed as Livestock Inspector Grade-II, it is no way possible to extract the duties of the Livestock Inspector Grade-II as stated supra, such as compounding and dispensing of drugs/therapeutic preparations, rendering preliminary aid through oral administration of analgesics and antipyretics in case of pain and fever, performing castration by closed method, de-horning dis-budding and de-beaking and assisting registered veterinary practitioner in surgical gynecological interventions. It is just assisting the Veterinary Assistant Surgeon. For example, if a person, who completed B.V.Sc, is selected for the post of Livestock Grade-II, it is not at all possible for the Veterinary Assistant Surgeon to extract any kind of works from the Livestock Inspector Grade-II as stated supra. They will require assistance from others. If more qualified persons are selected to the lower posts, it will be very difficult to extract any work from them and there would be insubordination.



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24. That apart, under the amended rules, the basic educational qualification is +2 with subjects of Botany or Zoology or Biology and a degree. The degree means any degree including arts. Those who had completed degree in arts group, though they would be imparted training, cannot compete with the person who had undergone specialized course for the post of Livestock Inspector Grade-II. It will spoil the entire nature of the duties of the Livestock Inspector Grade-II. Therefore, the impugned notification and the subsequent Addendum notification insofar as to fill up the vacancies of the Livestock Inspector Grade-II cannot be sustained and liable to be quashed. Though the Addendum notification in Notification No.11A of 2025 dated 18.11.2025 is not under challenge in these writ petitions. In view of quashing of the very amended notification, the subsequent Addendum notification issued to recruit the post of Livestock Inspector Grade-II cannot be sustained and liable to be quashed.

25. In view of the above, the impugned Government Order and the consequential notification published in the Tamil Nadu Government Gazette are quashed as arbitrary and illegal and violative of the provisions of the



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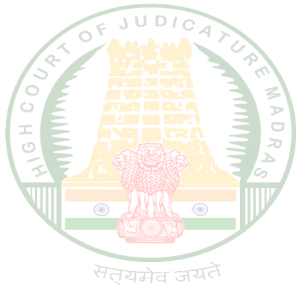
Indian Veterinary Council Act, 1984 along with Addendum Notification

No.11A of 2025 dated 18.11.2025 insofar as it relates to recruitment to fill up the vacancy of 439 Livestock Inspector Grade-II post alone.

26. Accordingly, all the writ petitions are allowed. Consequently, connected miscellaneous petitions are closed. No costs.

26.11.2025

Neutral citation :Yes/No
Index:Yes/No
Internet : Yes/No
Speaking/Non-speaking
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G.K.ILANTHIRAIYAN, J.

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To

1.The Secretary to Government,
Animal Husbandry, Dairying, Fisheries &
Fishermen Welfare Department,
Government of Tamil Nadu,
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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26.11.2025

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