

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24831 of 2015

P.Karthikeyan

... Petitioner

Vs.

1 The District Collector
Cuddalore.

2 The Asst. Director of
Panchayats Cuddalore.

3 The Block Development Officer
Panruti Panchayat Union Panruti Cuddalore
District.

4 The President
Visoor Panchayat Panruti Taluk Cuddalore
District.

5 Mr.V.Elangovan

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 herein to forthwith appoint the petitioner to the Gift Deed dated 26.7.2013 bearing No.2152 of 2013 at SRO, Kadampuliyoor, Cuddalore District execute by the Petitioner in favour of Visoor Panchayat consequent to the Consent Letter executed by the Visoor Panchayat President dated 26.7.2013 and in pursuant to the Representation dated 17.2.2015.

For Petitioners : Mr.C.A.Anburaja

For Respondents : Mr.K.Rajendra Prasad for R1 to R4
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that he is a permanent resident of Visoor and also a B.Com graduate and he owned land admeasuring to an extent of 10 cents in Ayan Punja Survey No.460/7 (New), new Division No.584/12, Old No.771/2 and in the year 2013, the third respondent on behalf of the local body was searching for a site to put up water tank to dig up a deep bore-well and store water and since the petitioner's lands were situated in an elevated area, the local body pressed the petitioner to give a portion of the land by way of gift to the Panchayat with promise that he will be given appointment as a Water Tank Operator.

3.The petitioner believing the said representation also executed a gift deed to the local body bearing document 2152 of 2013 which was registered on the file of the Sub-Registrar, Kadampuliyur, Cuddalore District on 26.07.2013 and on the same day on 26.07.2013,

the President of the Panchayat also executed a consent letter undertaking to provide the petitioner the job of Water Tank Operator. Thereafter, nothing is forthcoming. The petitioner has been submitting representations repeatedly praying for appointment as Water Tank Operator and the last of such representation was submitted on 17.02.2015 and since no orders were passed, came forward to file this writ petition.

4.The learned counsel appearing for the petitioner would submit that the petitioner belongs to the Scheduled Caste Community and would further submit that though he is a B.Com graduate, he could not get any job in and around Visoor and at present, he is eking his livelihood as a painter and prays for appropriate orders.

5.Heard the submissions of Mr.C.A.Anburaja, learned counsel appearing for the petitioner and Mr.K.Rajendra Prasad, learned Government Advocate who accepts notice on behalf of the respondents 1 to 4.

6.This Court taking into consideration the above facts and circumstances, especially the registered gift deed dated 26.07.2013 executed by the petitioner and the consent letter executed by the fourth respondent directs the second respondent to consider and dispose of the petitioner's representation dated 17.02.2015 on merits and in accordance with law after providing the petitioner an opportunity of personal hearing and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

- 1 The District Collector
Cuddalore.
- 2 The Asst. Director of
Panchayats Cuddalore.
- 3 The Block Development Officer
Panruti Panchayat Union Panruti Cuddalore
District.
- 4 The President
Visoor Panchayat Panruti Taluk Cuddalore
District.

+1 cc to C.A.Anburaja, Advocate, sr.42481
+1 cc to The Government Pleader, sr.42388.

ctk(co)
kra(27/08)

W.P.No.24831 of 2015

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