



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRA BAABU

W.P.(MD) No.16429 of 2014

R.Haridoss

... Petitioner

vs.

1.The State of Tamil Nadu,
represented by its Principal Secretary,
State Transport Corporation,
Secretariat, Fort St. George,
Chennai.

2.The Managing Director,
Tamil Nadu Transport Corporation (Kumbakonam) Ltd.,
No.27 Railway Station New Road,
Kumbakonam
Tanjore District.

3.The District Collector
O/o. The District Collector
Ramanathapuram District.

4.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram

5.The District Employment Officer,
O/o. The District Employment Officer,
Ramanathapuram

6.The Tahsildar(Special)
Paramakudi
Ramanathapuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondent No.4 to issue "Genuineness Certificate" to the respondent No.5 in respect of petitioner's LA (Land Acquisition) certificate issued by the respondent No.6 dated 27.10.2010 and consequently direct the respondent No.5 to sponsor the name of the petitioner to the respondent No.2 as per the said "Genuineness Certificate" for the post of driver or any other post by calculating seniority from the date of land acquisition proceeding i.e. 27.10.2010 and consider his appointment as per the G.O.Ms.No.188 Personal and Administrative Department dated 28.12.1976.



For Petitioner : Mr.S.Louis
for Mr.T.Lajapathi Roy
For Respondents : Mr.D.Muruganandham for R1,3 to 6
Addl. Government Pleader
Mr.D.Sivaraman

WEB COPY for R2

O R D E R

The above writ petition is filed for a direction to the respondent No.4 to issue "Genuineness Certificate" to the respondent No.5 in respect of petitioner's LA (Land Acquisition) certificate issued by the respondent No.6 dated 27.10.2010 and consequently direct the respondent No.5 to sponsor the name of the petitioner to the respondent No.2 as per the said "Genuineness Certificate" for the post of driver or any other post by calculating seniority from the date of land acquisition proceeding i.e. 27.10.2010 and consider his appointment as per the G.O.Ms.No.188 Personal and Administrative Department dated 28.12.1976.

2. Heard the learned counsel appearing for the petitioner, the learned Standing counsel for the 2nd respondent and the learned Additional Government Pleader for the respondents 1, 3 to 6.

3. It is seen that the petitioner claims preferential category in the public employment in respect of persons whose land was acquired under the Land Acquisition Act for public purpose. It is also seen that the 6th respondent has issued a certificate on 27.10.2010 in favour of the petitioner. The grievance of the petitioner is that even though such certificate was issued by the 6th respondent as early as on 27.10.2010, the 5th respondent has not sponsored the petitioner's name under such preferential category. Therefore, he approached this Court with the relief as stated supra.

4. Needless to say that once such certificate is issued and produced before the 5th respondent, it is for the 5th respondent to consider the said certificate and give registration of the petitioner under the preferential category, if the 5th respondent is not having any doubt about the genuineness of the certificate. On the other hand, if there is any doubt in the mind of the 5th respondent with regard to genuineness of such certificate, it is for him to seek for verification of such certificate. In either way, the 5th respondent has to act immediately without keeping the matter pending for a long time.

5. Accordingly, this writ petition is disposed of directing the 5th respondent to consider the certificate issued by the 5th respondent in favour of the petitioner and take appropriate steps in accordance with law without loss of further time, at any event, within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(RTI)

/True copy/



RR
To

1.The Principal Secretary, State of Tamil Nadu,
State Transport Corporation,
Secretariat, Fort St. George,
Chennai.

2.The Managing Director,
Tamil Nadu Transport Corporation (Kumbakonam) Ltd.,
No.27 Railway Station New Road,
Kumbakonam
Tanjore District.

3.The District Collector
O/o. The District Collector
Ramanathapuram District.

4.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram

5.The District Employment Officer,
O/o. The District Employment Officer,
Ramanathapuram

6.The Tahsildar (Special)
Paramakudi
Ramanathapuram District.

+1cc to MR.D.SIVARAMAN, ADVOCATE IN SR NO. 6080

+2cc to Special Government Pleader Sr NOS.6256 & 6252

W.P. (MD) No.16429 of 2014
10.02.2015

rg.19.02.2015 3p.10c.