

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25665 of 2016

And

W.M.P.No.21990 of 2016

R.Abdulkhadar

... Petitioner

Vs.

1 The Special Tahsildhar
Adi Dravida Welfare Department
Dharmapuri District,
Dharmapuri.

2 The District Collector,
Dharmapuri District,
Dharmapuri.

3 The District Adi Dravida Welfare Officer
Dharmapuri District,
Dharmapuri.

4 The District Employment Officer
District Employment Office,
Gorimedu, Maravaneri,
Salem.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to issue the Certificate of Priority for the purpose of considering the petitioner's eldest son Mr.A.Mubarak's Application for Employment dated 02.03.2006 on the file of the District Employment Office Salem Vide Registration Number:SLD2006M00002029 with priority, by considering the petitioner's representation dated 21.03.2016.

For Petitioner : Mr.D.R.Arunkumar

For Respondents : Mr.R.Vijayakumar

Additional Government Pleader

O R D E R

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

2.The petitioner claims that he is the owner of the land admeasuring an extent of 0.48.5 hectare in S.No.671/1 and 0.22.5 hectare in S.No.672/1 in Parvathanahalli Village, Pennagaram Taluk, Dharmapuri District and it was acquired for the purpose of providing house-sites to people belonging to Scheduled Caste community and an award was also fixed in Award No.2/90-91 and the petitioner for inadequacy of the compensation filed appeal in C.M.A.No.81 of 2004 on the file of the Sub Court, Dharmapuri and it was allowed on 29.03.2016.

3.The petitioner would further state that his two sons and daughter are aged about 31, 22 and 16 years respectively, and solely depending upon the income which was derived from the acquired land and one of his sons namely, A.Mubarak had completed Diploma in Electrical and Electronics Engineering and has registered his name in the Department of Employment and Training, District Employment Office, Salem on 02.03.2006 vide registration no SLD2006M00002029 and the petitioner's son by way of latral entry, has also completed degree course in engineering and is preparing for the examination conducted by Tamil Nadu Public Service Commission.

4.The learned counsel appearing for the petitioner would submit that in terms of G.O.Ms.No.188, Personnel and Administrative Reforms (Per.P) Department, dated 28.12.1976, the members of the family whose lands have been acquired, are also entitled to get priority certificate and therefore, the petitioner made application dated 30.01.1991 and it was returned for certain compliance and thereafter, the petitioner had submitted another representation dated 21.03.2016 to the respondents praying for such a relief and since no orders have been passed, came forward to file this writ petition.

5.Heard the submissions of Mr.D.R.Arunkumar, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

6.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the respondents 1 and 3 to consider and dispose of the petitioner's representation dated 21.03.2016, in accordance with law, after taking note of the G.O.Ms.No.188, Personnel and Administrative Reforms (Per.P) Department, dated 28.12.1976 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. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

- 1 The Special Tahsildhar
Adi Dravida Welfare Department
Dharmapuri District,
Dharmapuri.
 - 2 The District Collector,
Dharmapuri District,
Dharmapuri.
 - 3 The District Adi Dravida Welfare Officer
Dharmapuri District,
Dharmapuri.
 - 4 The District Employment Officer
District Employment Office,
Gorimedu, Maravaneri,
Salem.
- +1 cc to Mr.D.R.Arunkumar, advocate,sr.42052.

vgi(co)
krd 9/8

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