

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2017

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.35943 of 2015
and
WMP.22327 & 22328 of 2016

T.Antony Michael Petitioner

Vs.

1. State of Tamil Nadu,
Rep by the Secretary,
Labour & Employment Department,
Secretariat,
Chennai 600 009.
2. The Director,
Employment and Training Centre,
Guindy,
Chennai 600 032.
3. Union of India,
Rep.by the Personal & General Administration,
Department of Space,
Liquid Propulsion Systems Centre,
Valiamala P.O,
Thiruvananthapuram 695 547.
4. Tahsildar,
Thovalai Taluk at Poothapoondi,
Tirunelveli District.
5. Tahsildar,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.
6. District Employment Officer,
District Employment Exchange,
Tirunelveli District, Tirunelveli. Respondents

PRAYER: Writ Petition is filed under Article 226 of the
Constitution of India for issuance of a Writ of

Certiorarified Mandamus, calling for the records of the 1st Respondent pertaining to his order made in letter No.20322/T2/2013-2 dated 27.09.2013 and the order of the 2nd Respondent made in Nee Va2/24068/2013 dated 25.02.2015 and quash the same consequent to direct the 1st & 2nd Respondents to issue suitable instructions to the 4th Respondent to issue land priority quota certificate to the petitioner and thereby further direct the Respondents 1,2 & 6 to sponsor the Petitioner for considering appointment in any one of the department of the State.

For Petitioner : Mr.R.Malaichamy

For R3 : Mr.T.L.Thirumalaisamy

For R1,R2 R4 to R6 : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

The relief sought for in this writ petitioner is to quash the order of rejections dated 27.09.2013 and 25.02.2015.

2.The learned counsel for the petitioner now restricts the prayer by stating that a suitable direction may be issued to the respondents to consider the case of the petitioner for providing appointment under the land losers priority category.

3.The learned Additional Government Pleader appearing for the respondents opposed the contention of the learned counsel for the petitioner by stating that the land acquisition in respect of the family property of the writ petitioner had completed in the year 1982 and now after a lapse of thirty five years, the benefit of public employment cannot be provided to the writ petitioner.

4.May that it be, the Tahsildar, Radhapuram has issued a certificate for availing the priority quota. Such being the case, this Court is of the opinion that the case of the writ petitioner also shall be considered in accordance with law. Thus, without going into the merits of the case, the writ petitioner is permitted to submit a fresh representation to the fourth respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of any such representation, the fourth respondent is directed to pass orders on merits and in accordance with law, within a period of twelve weeks thereafter.

Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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1. The Secretary,
State of Tamil Nadu,
Labour & Employment Department,
Secretariat,
Chennai-600 009.
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Guindy, Chennai-600 032.
 3. The Personal & General Administration,
Union of India,
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 4. The Tasildar,
Thovalai Taluk at Poothapoodi,
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 5. The Tasildar,
Radhapuram Taluk,
Radhapuram, Tirunelveli District.
 6. The District Employment Officer,
District Employment Exchange,
Tirunelveli District, Tirunelveli.
- +1cc to Mr.R.Malaichamy, Advocate, sr.89410
+1cc to Mr.T.L.Thirumalaisamy, Advocate, sr.89359
+1cc to The Government Pleader, sr.91142

W.P.No.35943 of 2015

CNR(CO)
RMP(05/02/18)