

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.24553 of 2013

ORDER:

The present Writ Petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in not providing employment to the petitioner under Land Losers quota, as illegal and arbitrary and also to direct the respondents to dispose of the representation of the petitioner dated 19.06.2013.

The averments in the affidavit filed in support of the writ petition would show that the land belonging to the father of the petitioner was acquired for the purpose of Srisaillam Hydro Electric Project and compensation has also been paid to the father of the petitioner. Petitioner, having studied upto X Class, approached the authorities requesting for appointment under Land Losers quota. Petitioner also made a representation to the authorities on 19.06.2013 and the same is pending consideration before the authorities. The inaction of the respondents in appointing the petitioner under land losers quota led to filing of the present writ petition.

Heard both sides and perused the material on record.

Admittedly, in the instant case, the petitioner is the son of the land loser. Clause 3(ii) of G.O.Ms.No.98, Irrigation (Projects Wing) Department, dated 15.04.1986, reads as under:

“The candidates eligible for appointment under this scheme shall be the displaced persons or his/her son, daughter or spouse, there being no other earning member in the family.”

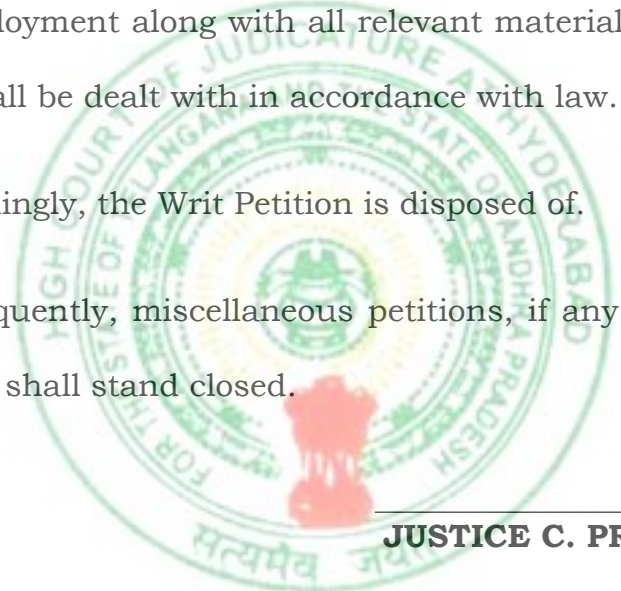
The same is opposed stating that except a copy of the representation, no material has been placed to show that the father of the petitioner was the land loser and that the petitioner is the son of the said loser.

Since a dispute has been raised with regard to relationship, this Court is of the view that a positive direction, as sought for, cannot be granted. Hence, I see no merit in the Writ Petition. However, the authorities may consider the representation dated 19.06.2013 made to Principal Secretary, Irrigation Department, in accordance with law or the petitioner may make a fresh application seeking employment along with all relevant material, in which event, the same shall be dealt with in accordance with law.

Accordingly, the Writ Petition is disposed of.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

19.04.2017
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JUSTICE C. PRAVEEN KUMAR