

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.04.2018

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No. 40229, 41929 & 43797 of 2006 and
M.P.Nos.1 of 2006 (3 petitions) and
M.P.Nos.1 of 2010.

M.Ayyanar .. Petitioner in W.P.No.40229 of 2006
A.Tanandjayane .. Petitioner in W.P.No.41929 of 2006
J.Malarvizhi .. Petitioner in W.P.No.43797 of 2006

vs.

1. Union of India,
rep. by Government of Pondicherry through
the Chief Secretary to Government,
Chief Secretariat, Pondicherry.
2. The Principal,
Pondicherry Engineering College,
Pillaichavady, Pondicherry. ..Respondents in all the WPs

Prayer in all the WPs: Petitions filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the 2nd respondent to consider and appoint the petitioner to any Group-C post in the 2nd respondent Engineering College with all other consequential benefits.

For Petitioner : Mr.V.Ajayakumar in all the WPs

For Respondents : Mr.J.Kumaran,
Govt. Advocate (Pondicherry)
in all the WPs

COMMON ORDER

The petitioners have filed these writ petitions seeking writ of mandamus directing the 2nd respondent to consider and appoint the petitioners to any Group-C post in the 2nd respondent Engineering College with all other consequential benefits.

2 The petitioners' lands in different survey numbers were acquired by the Pondicherry Government for the purpose of establishing Pondicherry Central University. These lands are the only available property to each of the petitioners for their

livelihood. Subsequently a portion of the lands were handed over to the second respondent Pondicherry Engineering College. After acquiring the petitioners' family property, identity certificates were issued to the petitioners. Thereafter, L.A.O.P. cases have been filed before the learned Principal District Judge, Pondicherry, in which, awards were passed. However, the petitioners made their representations to the respondents seeking employment, based on the peace committee meeting held in May, 1990, conducted by the Hon'ble Chief Minister of Pondicherry, wherein, it was specifically held that, whose lands had been acquired by the University would be given priority in employment in the University those who were otherwise solely dependant directly on the land acquired for the University could also be considered later after verification by the Government authorities.

3 However, the said representations, based on the minutes of the meeting conducted by the Hon'ble Chief Minister of Pondicherry, were not considered by the respondents, but, similarly situated persons were appointed in the College. Hence the petitioners filed writ petitions with the above prayer.

4 This court cannot issue any such direction to appoint the petitioners in the particular post. However, the learned counsel for the petitioners fairly submitted that this Court may issue direction to the respondents to consider the representation in the light of the minutes of the meeting held by the Hon'ble Chief Minister of Pondicherry in May, 1990.

5 In view of the above, this Court is inclined to issue a direction to the respondents to consider the representations made by the petitioners and liberty is granted to the petitioners to submit fresh representation within a period of one week from the date of receipt of a copy of this order and thereafter the respondent has to consider the same and pass necessary orders in accordance with law within a period of eight weeks from the date of receipt of such representations.

6 With the above observations and directions, these writ petitions are disposed of. Consequently connected miscellaneous petitions are closed. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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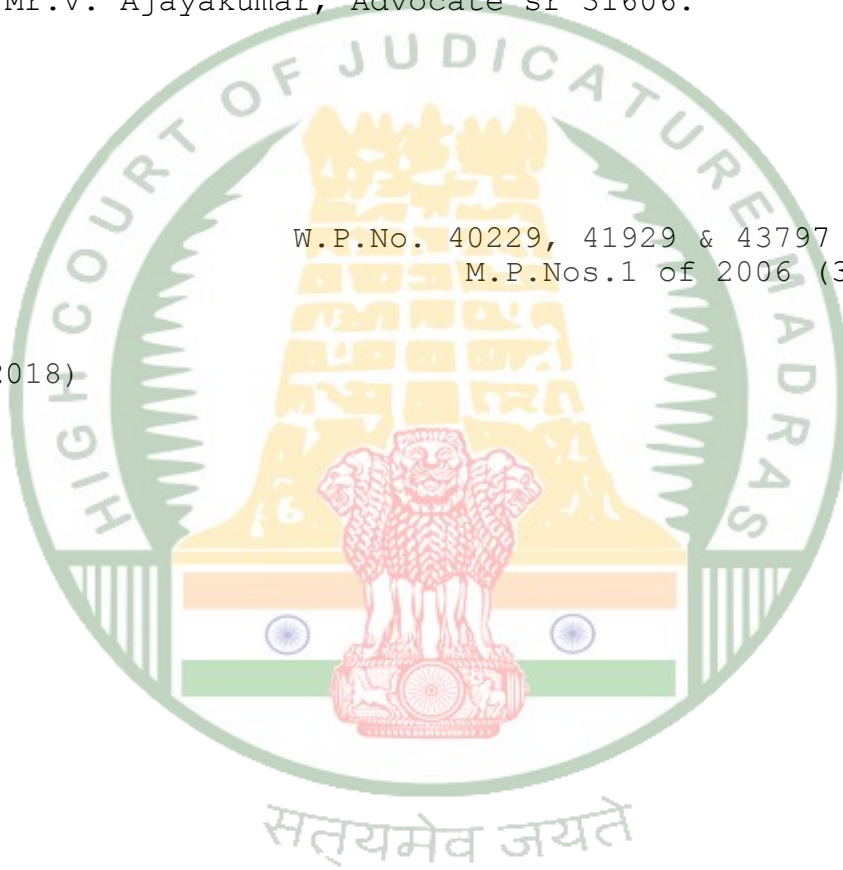
To

1. The Chief Secretary to Government,
Government of Pondicherry,
Chief Secretariat, Pondicherry.
2. The Principal,
Pondicherry Engineering College,
Pillaichavady, Pondicherry.

+3 Ccs to Mr.V. Ajayakumar, Advocate sr 31606.

W.P.No. 40229, 41929 & 43797 of 2006 and
M.P.Nos.1 of 2006 (3 petitions)

RJ(CO)
SP(29/05/2018)



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