

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.1940 of 2018

P.Pushparaj .. Petitioner

-vs-

1. The Collector
Vellore District
Vellore
2. The Revenue Divisional Officer
Ranipet, Vellore District
3. The Commanding Officer
INS Rajali
Naval Air Station
Arakkonam, Vellore District .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to consider and pass appropriate orders on the petitioner's representation dated 16.12.2017 seeking to submit the verification report to the third respondent as per his request dated 24.08.2017.

For Petitioner :: Mr.G.Jeremiah

For Respondents :: Mr.R.S.Selvam
Government Advocate for R1 & 2

ORDER

This writ petition has been filed seeking a mandamus to the District Collector, Vellore, the first respondent herein to consider the petitioner's representation dated 16.12.2017, wherein a request was made to submit the verification report to the Commanding Officer, INS Rajali, Naval Air Station, Arakkonam, the third respondent herein.

2. Learned counsel for the petitioner submitted that in the year 1988, the petitioner's father's property was acquired under the Award No.11 of 1988 for the Naval Air Station. After acquiring the property belonging to the

petitioner's family, the Revenue Divisional Officer, Ranipet, the second respondent herein also issued a land loser certificate in favour of the petitioner's father Mr.Ponnusamy, based on which the petitioner applied to the Commanding Officer, INS Rajali, Naval Air Station, Arakkonam, the third respondent herein for employment under the land loser's scheme, as his claim was also sponsored by his father, who was the owner of the acquired land. While so, the petitioner's grandfather Mr.Chinnakulandai was also owning properties and his lands were also acquired and a land loser certificate was also issued to him. Since the petitioner's brother Mr.P.Varadarajan was brought up by his grandfather, the petitioner's grandfather had nominated the petitioner's brother Mr.P.Varadarajan for employment on behalf of his family. Subsequently, Mr.P.Varadarajan was appointed by the third respondent as Safaiwala on 1.2.93. In the meanwhile, the third respondent, by letter dated 26.10.2016, called upon the petitioner to be present on 15/16th November, 2016 for documentary verification and also to take part in the written examination, which was held on 21.11.2016. Finally he was also informed that he was provisionally selected for the post of MTS(N1) (erstwhile Barber). When the matter stands as above, doubting the land loser certificate, verification has been ordered. Now the same is also pending consideration, as a result the petitioner has not been issued with any order of appointment.

3. The learned counsel for the petitioner further submitted that when two properties belonging to two individuals, namely, the property owned by the petitioner's father in Survey No.19/9A to an extent of 0.17.0 Hec. of Puliymangalam village and another property owned by the petitioner's grandfather in Survey Nos.6/2B, 6/4, 17/2A, 2B, 2D, 2F, 2G, 2K, 2L to an extent of 1.89 Hec., of Puliymangalam village, were acquired and two separate land loser certificates were issued, they are entitled to get two orders of employment. In this regard, the petitioner has given his representation on 16.12.2017 and the same has not been considered.

4. The learned Government Advocate for the respondents 1 & 2 sought time to consider the pending representation of the petitioner.

5. In view of the above, the first respondent is hereby directed to consider whether two properties covered in the aforementioned survey numbers were acquired from two individuals, namely, the petitioner's father and petitioner's grandfather and if so, whether separate land loser certificate, one in favour of the petitioner's father

and the second in favour of the petitioner's grandfather, were issued and dispose of the pending representation seeking to forward the necessary report to the third respondent within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

/true copy/

Sub Assistant Registrar

ss

To

1. The Collector
Vellore District
Vellore
2. The Revenue Divisional Officer
Ranipet, Vellore District
3. The Commanding Officer
INS Rajali
Naval Air Station
Arakkonam, Vellore District

1 cc to Mrs.G. JEremiah, Advocate, Sr. 7113
1 cc to Government Pleader, Sr. 7419

W.P.No.1940 of 2018

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RR (CO)
kk 17/2

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