

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17-09-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.5841 of 2016

Y.P.K.Sampath

... Petitioner

..Vs..

1.The District Collector,
Salem District,
Salem.

2.The Revenue Divisional Officer,
Sankari,
Salem District.

3.The Tahsildar,
Edappadi Taluk,
Edappadi,
Salem District.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order made in Na.Ka.No. 1197/2014(C) dated 3.2.2015 passed by the second respondent, quash the same and consequently direct the respondents to give preference in employment to his daughter S.Shobana on par with her educational qualification by considering his application dated 19.10.2010 and his reminders dated 28.2.2011, 19.2.2014, 23.6.2014 and 25.6.2015.

For Petitioner : Mr.N.Manokaran
For Respondents : Mr.D.Raghu,
Government Advocate.

O R D E R

The memo, issued by the second respondent in proceedings dated 3.2.2015, is under challenge in this writ petition.

2.The order impugned states that the property belongs to

the writ petitioner's family was acquired under the provisions of the Land Acquisition Act during the year 1932. Even at the time of land acquisition, the writ petitioner was not born. Now, the writ petitioner claims employment on the ground that the family of the writ petitioner should be considered as land losers and a public employment is to be provided to the daughter of the writ petitioner. The writ petitioner himself is now aged about 62 years old. The acquisition in respect of the property belong to the writ petitioner's family was completed during the year 1932. Now, the writ petitioner claims public employment under the land losers category for providing a public employment in favour of his daughter.

3. The very claim of the writ petitioner is belated and such belated claims can never be entertained for the purpose of providing public employment to the daughter of the writ petitioner.
4. All appointments to the public posts must be done in accordance with the Recruitment Rules in force. Selection must be done to the public posts under the Constitutional Schemes and by providing equal opportunity to all the eligible persons. Even in case of introduction of any Special Schemes for providing public employment, the same must be restricted and it is to be provided strictly in accordance with the terms and conditions stipulated in the Scheme.
5. The writ petitioner has not established any such Scheme for the land losers in favour of the writ petitioner during the year 1932. Thus, now after the lapse of more than 86 years, the petitioner is not entitled for any relief. In view of the facts and circumstances, the writ petitioner has not established even the semblance of legal rights, so as to consider the relief, as such, sought for in this writ petition. Accordingly, the writ petition is devoid of merits and the same stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS V)

// True Copy //

Sub Assistant Registrar

To

1.The District Collector,
Salem District,
Salem.

2.The Revenue Divisional Officer,
Sankari,
Salem District.

3.The Tahsildar,
Edappadi Taluk,
Edappadi,
Salem District.

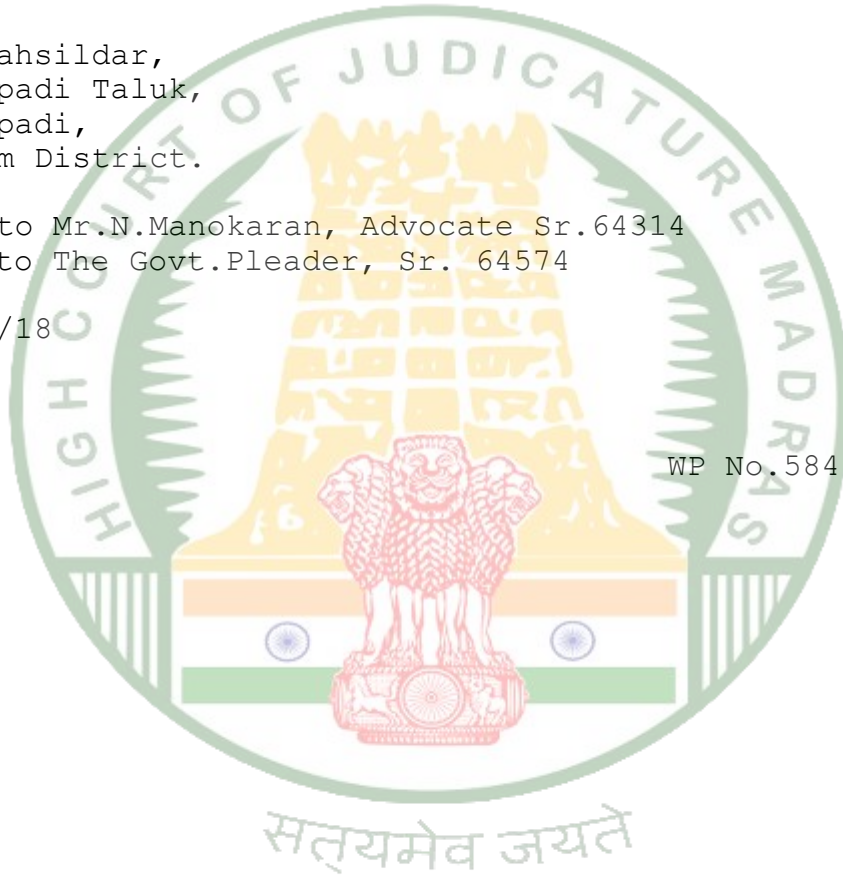
+ 1 cc to Mr.N.Manokaran, Advocate Sr.64314

• 1 cc to The Govt.Pleader, Sr. 64574

KR/4/10/18

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WP No.5841 of 2016



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