



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

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W.P. (MD) No. 3782 of 2014

Gowri

.. Petitioner

Vs.

The Assistant Employment Officer,
Tirunelveli.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for records relating to the order passed by the respondent in A.Thi.Mu.A2/10474/12, dated 20.09.2012 and quash the same and consequently direct the respondent to give preference to the petitioner's employment registration.

For petitioner

: Mr. T.A.Ebenezer

For respondent

: Mr. M.Jeyakumar

Additional Government Pleader

O R D E R

Heard Mr. T.A.Ebenezer, learned Counsel appearing for the petitioner and Mr. M.Jeyakumar, learned Additional Government Pleader appearing for the respondent.

2. The The petitioner's father donated lands for construction of Adi Dravidar School. This is not in dispute. In fact the local Thasildar had already issued a certificate in this regard. Therefore, the petitioner's name is entitled to be registered in the Employment Exchange under the priority category. The only ground on which the respondent has denied the said benefit to the petitioner is that the petitioner is a married daughter.

3. This ground is patently unsustainable in law and it was so held vide order dated 11.09.2014 in W.P.(MD).No.13551 of 2014. G.O.Ms.No.188, dated 28.12.1976 states that preference will be given to the member of the family, whose lands were acquired for Government purpose. The expression "family member" would include even the daughter who got married. There cannot be a differentiation between married family members



and others who have not married. On this ground, the order impugned in this writ petition is set aside. This Court directs the respondent to register the name of the petitioner under the priority category forthwith.

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4. This Writ petition stands allowed accordingly. No costs.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub-Assistant Registrar

To:

The Assistant Employment Officer,
Tirunelveli.

+One cc to Mr.T.A.Ebenezer, Advocate, SR.No.46177

+One cc to The Special Government Pleader, SR.No.46548

kmi
RL/4C/2P/KK/SAR1/28/2/2018

ORDER MADE IN

W.P. (MD) No. 3782 of 2014

05.02.2018