

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.16683 of 2018

R.Abdulkadhar

...Petitioner

Vs.

1. The Special Tahsildhar,
Adi Dravida Welfare Department,
Dharmapuri District.
2. The District Collector,
Dharmapuri District,
Dharmapuri.
3. The District Adi Dravida Welfare Officer,
Dharmapuri District.
4. The District Employment Officer,
District Employment Office,
Gorimedu,
Salem.
5. The Deputy Director,
District Employment Office,
Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to issue the Certificate of Priority for the purpose of considering the petitioner's younger son Mr.A.Ibrahim's Application for Employment dated 01.08.2016 on the file of the District Employment Office, Chennai vide Registration No.CHP2016M00038445 and daughter Ms.A.Assmeena Zeheraa's Application for Employment dated 05.08.2015 on the file of the District Employment Office, Salem vide Registration Number SLD2015F00026531 by considering the petitioner's representation dated 28.04.2017.

For Petitioners	:	Mr.D.R.Arunkumar
For Respondents	:	Mr.R.Govindasamy Special Government Pleader for R1 to R5

O R D E R

The petitioner seeks for a Mandamus to direct the respondents to issue the Certificate of Priority for the purpose of considering the petitioner's younger son Mr.A.Ibrahim's Application for Employment dated 01.08.2016 on the file of the District Employment Office, Chennai vide Registration No.CHP2016M00038445 and daughter Ms.A.Assmeena Zeheraa's Application for Employment dated 05.08.2015 on the file of the District Employment Office, Salem vide Registration Number SLD2015F00026531 by considering the petitioner's representation dated 28.04.2017.

2. The case of the petitioner is that under G.O.Ms.No.188, Personnel and Administrative Reforms Department, dated 28.12.1976, family members whose lands are acquired by the Government are entitled to get priority for employment. Therefore, the petitioner seeks for issuing such certificate for his younger son and daughter through representation dated 28.04.2017. Since the said representation is not considered so far, the present writ petition is filed with the above relief.

3. It is seen that the very same petitioner approached this Court and filed W.P.No.25665/2016 seeking for similar relief in respect of his elder son and the said writ petition was disposed of on 22.07.2016 by observing as follows:

Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the respondents 1 and 3 to consider and dispose of the petitioner's representation dated 21.03.2016, in accordance with law, after taking note of the G.O.Ms.No.188, Personnel and Administrative Reforms (Per.P) Department, dated 28.12.1976 and pass orders, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

4. Considering the fact that the issue involved in this case is similar to the one involved in the above writ petition and further considering the fact that the said writ petition was disposed of with the observation as stated supra, this Court is of the view that similar direction can be issued in this case also.

5. Accordingly, this Writ Petition is disposed of without going into the merits of the matter only with a direction to the respondents 1 to 3 to consider the petitioners' representation dated 28.04.2017 and pass orders on the same on merits and in accordance with law, after taking note of G.O.Ms.No.188,

Personnel and Administrative Reforms Department, dated 28.12.2016, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-I)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Special Tahsildhar,
Adi Dravida Welfare Department,
Dharmapuri District.
2. The District Collector,
Dharmapuri District,
Dharmapuri.
3. The District Adi Dravida Welfare Officer,
Dharmapuri District.
4. The District Employment Officer,
District Employment Office,
Gorimedu,
Salem.
5. The Deputy Director,
District Employment Office,
Chennai.

+1cc to Mr. D.S.Arun Kumar, Advocate, S.R.No. 19061

RK(CO)
GN(20/03/2019)

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