



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 5488 of 2019

P. Suresh

... Petitioner

Vs.

1. The Secretary to Government,
Department of Labour and Employment,
Fort St. George,
Chennai - 600 009.
 2. The District Collector,
Madurai District,
Madurai.
 3. The District Employment Officer,
Office of the District Employment Exchange,
Madurai.
 4. The District Adi Dravidar Welfare Officer,
District Collector Office Complex,
Madurai.
 5. The Land Acquisition Officer - cum -
The Special Tahsildar,
Adi Dravidar Welfare (Land Acquisition) Unit II,
District Collector Office,
Madurai.
- ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to consider him for appointment in any suitable post under the special category of family member of the lands acquired by the Government on the basis of the petitioner's representation dated 11.01.2019.

For Petitioner : Mr. K. Muthumalai
For Respondents : Mr. C. M. Mari Chellaiah Prabhu
Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 11.01.2019, seeking appointment under the special category of family member of the lands acquired by the Government.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents. By consent, the writ petition itself is taken up for final disposal at



the stage of admission.

3.The case of the petitioner is that the punja land, to an extent of 0.10.0 hectares (25 cents), belonging to him, comprised in S.No.20/1A of Chennagarampatti Village, was acquired by the second respondent. According to the petitioner, the fourth respondent has sent a communication dated 18.08.2014 to the third respondent stating that the priority certificate issued by the fifth respondent in favour of the petitioner for employment is genuine. However, the claim of the petitioner seeking employment has not been considered by the respondents. Therefore, the petitioner made a representation dated 11.01.2019 to the respondents and the same is pending without consideration. Hence, the petitioner is before this Court seeking the abovesaid relief.

4.This Court, in similar circumstances, passed orders in W.P.No.2827 of 2018 (K.Mohan Vs. The Special Tahsildar (L.A), SIPCOT, Gummidipoondi - 601 201) on 31.01.2019, directing the first respondent therein to consider the request of the petitioner therein. It would be useful to refer to the operative portion of the order, which reads as follows:

"3.It is seen that the petitioner has submitted a representation dated 02.07.2018 in respect of his claim to the fourth respondent and he has not made any representation to the first respondent. Considering the facts and circumstances of the case, the petitioner is directed to submit a fresh representation to the first respondent along with a copy of the representation made to the fourth respondent, in respect of his claim, within a period of two weeks from the date of receipt of a copy of this order. On such representation being received, the first respondent is directed to consider the same on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of twelve weeks therefrom."

5.Following the same, this writ petition is disposed of, with a direction to the respondents to consider the claim of the petitioner based on his representation dated 11.01.2019 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS-)



To

1.The Secretary to Government,
Department of Labour and Employment,
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Chennai - 600 009.

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The Special Tahsildar,
Adi Dravidar Welfare (Land Acquisition) Unit II,
District Collector Office,
Madurai.

+1cc to Mr.K.Muthumalai, Advocate, SR.No.52739
+1cc to Special Government Pleader, SR.No.53098

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SP/05.04.2019/ 3P/8C