

IN THE HIGH COURT OF JUDICATURE AT MADRAS

D A T E D : 23.12.2020

C O R A M

The Hon'ble Mr. Justice SENTHILKUMAR RAMAMOORTHY

Writ Petition No.7605 of 2011
and
M.P.No.1 of 2011

S.Rajkumar

... Petitioner

Vs

Principal,
Pondicherry Engineering College,
Puducherry

.... RespondentS

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the Respondent to appoint the Petitioner to the post of Helper on a Daily Wages of Rs.254/- under the land affected category in the vacancy which has been offered to Thiru.Balachandar who is a member of the same family.

For Petitioner : Mr.V.Ajaykumar

For Respondent : Ms.G.Sudha

O R D E R

I heard the learned counsel for the Petitioner and the learned counsel representing the Pondicherry Engineering College.

2. This writ petition is filed for a writ of mandamus to appoint the Petitioner to the post of helper on daily wages under the land affected category in the vacancy offered to Thiru.G.Balachandar who is the Petitioner's cousin.

3. The learned counsel for the Petitioner submitted that the Petitioner's grand father's lands had been acquired for purposes of construction of the Engineering College and, therefore, as per the extant scheme, a job was to be offered to an eligible member of the family. In terms thereof, a job was offered to Thiru.G.Balachandar who is the Petitioner's cousin. For this purpose, he relied upon the letter dated 31.05.2010 from the Respondent college to Mr.G.Balachandar. He also pointed out that the said Balachandar had stated that

he is unable to take the job due to unavoidable circumstances and that the same may be offered to his cousin S.Rajkumar, the Petitioner herein. The said contention is substantiated by the letter dated 14.02.2011 from G.Balachandar to the Principal of the Respondent College.

4. An interim order was granted at the time of admission whereby the Respondent was directed to reserve one vacancy for the Petitioner.

5. The learned Advocate representing the Respondent submits that in terms of the said order a vacancy has been reserved for the Petitioner subject to orders in this writ petition. She further submits that the Respondent would consider the Petitioner's representation dated 14.02.2011 against the said vacancy if so directed by this Court.

6. Upon considering the rival submissions, it is clear that a vacancy has been reserved for the Petitioner in terms of the interim order passed by this Court. The representation dated 14.02.2011 from the Petitioner's father requesting for a job for the Petitioner is on record. Accordingly, I am of the view that this writ petition may be disposed of by directing the Respondent to consider the representation dated 14.02.2011 in light of the scheme for offering a job to land losers and pass orders thereon within a period of two months from the date of receipt of a copy of this order. In case the Petitioner intends to provide any additional documents in this connection to the Respondent, it shall be open to the Petitioner to do so.

7. This writ petition is disposed of in the above terms. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rrg

To

The Principal,
Pondicherry Engineering College,
Puducherry

+1cc to Mr.V.Ajayakumar, Advocate SR.42933

+1cc to M/s.N.Mala, Advocate SR.42885

+1cc to the Government Pleader SR.42992

W.P.No.7605 of 2011

SR II(CO)
CB(20/01/2021)



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