



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.24969 of 2016

Renuka

... Petitioner

Vs.

1.The District Collector,
Karur District.

2.The Special Tahsildar,
Adi Dravidar Welfare Unit,
Kulithalai,
Karur,
Karur District.

3.The District Employment Officer,
Karur.

(R3 is impleaded as *suo motu* vide
order dated 02.03.2021)

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to give anyone Government job to the petitioner on the basis of the petitioner's representation dated 12.09.2016 for acquiring the petitioner's lands in S.No.251/4 and 253/1 to extend of 26 cents of lands which is situated at Aadhanur Village, Kadavur Taluk, Karur District.

For Petitioners : Mr.G.Gomathi Sankar

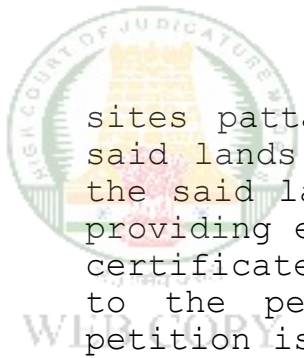
For Respondents : Mr.M.Muthugeethayan

Special Government Pleader

O R D E R

This writ petition is filed for a direction to the first respondent to give anyone Government job to the petitioner, on the basis of the petitioner's representation, dated 12.09.2016 for acquiring the petitioner's lands in S.No.251/4 and 253/1 to an extent of 26 cents of lands, which is situated at Aadhanur Village, Kadavur Taluk, Karur District.

2.The case of the petitioner is that she is residing at Kumarampatti, Kottanatham Post, Vendasandur Taluk, Dindigul District, along with her family and she is doing agricultural works. The petitioner is having lands in Aadhanur Village in S.Nos.251/4 and 253/1 to an extent of 26 cents and the total extent of lands of the said Survey Numbers is more than 1 acre 28 cents, which belonged to 5 persons and all of them are doing agricultural works. Further, the petitioner has averred that the second respondent has acquired the said lands for the purpose of issuance of free house



sites patta in the year 2012 to the Aadi Dravidar People and the said lands were taken in possession. At the time of acquisition of the said lands, the respondents had issued Priority Certificate for providing employment to the petitioner's family. Though the priority certificate was issued in the year 2012, no employment was provided to the petitioner's family till 2016. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that the petitioner's lands were acquired for the purpose of providing free house sites patta to the Aadi Dravidar People. Even at the time of acquisition, the petitioner was given Priority Certificate, since meagre amount of compensation was paid to the petitioner's family. However, till date, the employment was not given to the petitioner. Hence, he prays that this Court may issue a direction to the respondents to provide employment to the petitioner's family within the stipulated time as fixed by this Court.

4.The learned Special Government Pleader appearing for the respondents submitted that immediately after the receipt of the Priority Certificate from the Revenue Officials, it is the duty cast upon the petitioner to register the same before the District Employment Officer. Without registering the said Priority Certificate, filing the present writ petition is not maintainable. Hence, he prays for dismissal of the present writ petition.

5.The facts in the present case are not in dispute. Admittedly, the petitioner's lands were acquired for the purpose of providing free house sites patta to the Aadi Dravidar People. This Court perused the proceedings, dated 02.02.2012. It is seen that the yearly income of the acquired land is Rs.10,000/-, however, the compensation was fixed only at Rs.8,016/-, which is far below the income of the lands. Further, the Priority Certificate was also issued in the year 2012. However, the Priority Certificate did not reveal that the petitioner has to register before the District Employment Officer. In the absence of specific direction in the Priority Certificate, the respondents cannot be questioned for not registering the Priority Certificate. Hence, the prayer as sought for by the petitioner has to be considered. Though the District Employment Officer is not a party to the writ petition, this Court *suo motu* impleads the District Employment Officer, Karur, as third respondent. Further, the third respondent is directed to register the petitioner's Priority Certificate in the year 2012 and assigned the seniority in the appropriate place, before the person, whose Priority Certificate was registered in the year 2012, and if any of the Priority Certificate was not registered, the first respondent, District Employment Officer shall forward the any one of the eligible family members for employment. Liberty is also granted to the petitioner to present the Priority Certificate before the first



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6.The Writ Petition stands allowed with the above directions.
No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Karur District.
- 2.The Special Tahsildar,
Adi Dravidar Welfare Unit,
Kulithalai,
Karur,
Karur District.
- 3.The District Employment Officer,
Karur.

+1 CC to M/s.G.GOMATHI SANKAR, Advocate (SR-8260[F] dated
02/03/2021)

+1 CC to M/s.M.MUTHUGEETHAYAN, Advocate (SR-8563[F] dated
03/03/2021)

+1 CC to M/s.SPL GP (SR-8430[F] dated 03/03/2021)

W.P. (MD) No.24969 of 2016
02.03.2021

NSM(CO)
KB(30.03.2021) 3P 7C