



W.P.No.26864 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.26864 of 2023 & WMP.Nos.26276 & 26278 of 2023

K.Ramesh

... Petitioner

Vs

1. The District Collector,
District Collectorate, Kallakurichi.
2. The Revenue Divisional officer,
Thirukoilur, Kallakurichi District.
3. The Tahsildar,
Tahsildar Officer,
Thirukoilur, Kallakurichi District.

... Respondents

Prayer:- Writ Petition filed, under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the first Respondent vide No. Pa.Mu. A1/ 15896/ 2021 dated 04.03.2022 and quash the same and consequently direct the Respondents herein to provide suitable job on the basis of priority certificate



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issued by the 3rd respondent by considering Petitioners educational qualification within the time to be stipulated by this Court.

For petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.E.Vedabagathsingh
Special Government Pleader

ORDER

This Writ Petition has been filed to quash the impugned order passed by the first Respondent vide No. Pa.Mu. A1/ 15896/ 2021 dated 04.03.2022 and consequently direct the Respondents herein to provide suitable job on the basis of priority certificate issued by the third respondent by considering Petitioners educational qualification within the time to be stipulated by this Court.

2. The case of the petitioner is that the land owned by the petitioner has been acquired by the Government for the purpose of upgradation of bye pass road. Therefore, according to G.O.Ms.No.188, dated 28.12.1976, a member of the family whose land has been acquired, the Government as well as Public Sector Undertaking shall give preference in providing employment to to the said persons. In this regard the petitioner has also been given priority



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certificate. Based on the same, he has approached the respondents for providing employment. But the same has been rejected by the first respondent. Challenging the same, the present Writ Petition has been filed.

3. I have perused entire materials available on record, particularly the impugned Order. An extent of 0.03.5 ares has been acquired by the Government for the purpose of upgradation of bye pass road. The petitioner has a brother and sister, besides he is having immovable properties. The land acquired is very small piece of land and they are not primarily dependant on the said small extent of land. Therefore, merely because priority certificate has been issued, as a matter of right one cannot seek employment. After thorough enquiry, the impugned Order has been passed and in the enquiry it has been revealed that the petitioner's family owns commercial property besides vast agricultural land. In such view of the matter, on the basis of the priority certificate, the petitioner cannot be on higher pedestal to claim that he is totally dependent on the land namely 0.03.5 ares, namely 8 cents. Hence, I do not find any merits in this Writ Petition.

4. Accordingly, this Writ Petition is dismissed. No costs.



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Consequently, connected miscellaneous petitions are closed.

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Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The District Collector,
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3. The Tahsildar,
Tahsildar Officer,
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N.SATHISH KUMAR, J.

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