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W.P.No.15903 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.15903 of 2024

M.Kannan

.. Petitioner

Vs.

The Employment Officer
District Employment Office
Chennai.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus, directing the respondent herein to consider the petitioner representation dated 23.04.2024 and provide the name of the petitioner for appointment in any other suitable post in pursuant to the qualification possessed by the petitioner.

For the Petitioner : Mr.N.Selvaraj

For the Respondent : Mr.V.P.R.Elamparithi
Additional Government Pleader



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ORDER

The case of the petitioner is that the land in S.No.459/2A, admeasuring 0.39.0 hectares, were acquired from the father of the petitioner at Konapallam Village for the purpose of providing house sites for the Arundhathiyar families. While the land acquisition proceedings were initiated, the certificate dated 12.06.1997 was issued to the petitioner that the petitioner would be given special consideration for preference in case of employment. The petitioner, therefore, had now made a representation on 23.04.2024 seeking employment on that basis, and therefore, the prays that the respondent may be directed to dispose of the said representation.

2. Firstly, as far as the said representation is concerned, the representation is addressed to the Employment Department. The learned Additional Government Pleader, on instructions, submits that as far as the Employment Department is concerned, the certificate which is produced by the petitioner relates to giving



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preference when he applies for any post and the Employment Department does not provide any reservation for the cases like that of the petitioner's. The same is also taken on record.

3. Be that as it may, long ago in the year 1997, the certificate was issued to the petitioner that his case will be considered for preference in employment. The petitioner has not utilized the same so far. The petitioner ought to have applied for any post under the Government and at the time of selection, ought to have claimed privilege under the said certificate.

4. The certificate remained un-utilized by the petitioner. It is not a reservation, but only a recognition that is to be considered as a case on a privilege basis. Therefore, when the petitioner, who is now aged 49 years, have so far not utilized the said certificate, cannot make a representation at a belated stage and therefore, this Court, now cannot direct the respondent to consider the same.



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5. In view of the huge efflux of time and the nature of the certificate given to the petitioner, this Court, at this point of time, cannot direct the respondent to consider the representation of the petitioner.

6. In view thereof, finding no merits, the writ petition stands dismissed. There shall be no order as to costs.

20.06.2024

Neutral Citation : Yes/No

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To:

1. The Employment Officer
District Employment Office
Chennai.



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D.BHARATHA CHAKRAVARTHY,J.

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