



W.P.No.18129 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.18129 of 2024

N.Rajamani

....

Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary,
Public Works Department,
Fort St.George,
Chennai – 600 009.

2. The State of Tamil Nadu,
Rep. by its Secretary,
Rural Development Department,
Fort St.George,
Chennai – 600 009.

3. The State of Tamil Nadu,
Rep. by its Secretary,
Revenue Department,
Fort St.George,
Chennai – 600 009.

4. The District Collector,
Tiruppur District,
Tiruppur.

5. The District Employment Officer,
Tiruppur District.



W.P.No.18129 of 2024

WEB COPY

6. Personal Assistant (Development) to
District Collector,
Tiruppur District,
Tiruppur.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to provide employment to the petitioner's son named R.Nallasivam as a Driver under priority scheme, within a stipulated time to be fixed by this Court by considering the representations of the petitioner dated 01.08.2023 and 21.09.2023.

For Petitioner	: Mr.N.Ponraj
For R1, R2 & R5	: Mr.Yogesh Kannadasan Special Government Pleader
For R3 & R4	: Mr.G.Velu Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction directing the respondents to provide employment to the petitioner's son.

2. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1, 2 & 5 and the learned Additional Government Pleader appearing for the respondents 3 & 4.



W.P.No.18129 of 2024

WEB COPY

3. The petitioner as father owned land admeasuring 7.50 acres at S.F.No.712/2, 712/3, 713/3, 714/1, 714/1B in Ponnivadi Village, Dharapuram Taluk. While being so, the Government of Tamil Nadu intended to construct a check dam. The lands belonging to the petitioner and his father were acquired for construction of check dam. Therefore, the petitioner submitted a representation seeking employment for his son and the same was not considered. Therefore, the petitioner approached this Court in W.P.No. 30888 of 2022. This Court, by an order dated 14.11.2022, directed the petitioner to submit fresh application for employment of his son based on the priority certificate within a period of one week. The first respondent passed an order stating that the family members of the land owner will be provided suitable post as per the priority certificate and qualification. It was also challenged before this Court in W.P.No.19971 of 2023. This Court set aside the said order passed by the first respondent on the ground that without identifying any vacancy, applying for employment is not proper. Therefore, the petitioner has to find out the vacancy post arise under various



W.P.No.18129 of 2024

Departments according to his qualifications, then he can seek appointment.

4. It is seen from the records that the petitioner's land was acquired only in the year 1990. The Award was passed in the year 2000. Now the petitioner sought for employment for his son that too after a period of twenty four years. The petitioner failed to produce the conditions of the land acquisition. It is not the case of the petitioner, the entire land was acquired for the purpose of construction of check dam. If on account of acquisition of land, the entire family displaced and the G.O.Ms.No.656, Labour and Employment Department, dated 29.06.1978 is applicable.

5. That apart, it is also seen from the certificate issued by the Tahsildar, Dharapuram, after acquisition of land, the petitioner owned land comprised in survey Nos.193/2, 193/3 and 195/7 to an extent of 4 acres 39 cents with income of Rs.60,000/- per year. Therefore, the G.O.Ms.No.656, dated 29.06.1978 is not applicable.



W.P.No.18129 of 2024

WEB COPY

5. In view of the above, the request made by the petitioner cannot be considered. Thus the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed.

No costs.

09.07.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
Lpp

To

1. The Secretary,
Public Works Department,
Fort St.George,
Chennai – 600 009.

2. The Secretary,
Rural Development Department,
Fort St.George,
Chennai – 600 009.

3. The Secretary,
Revenue Department,
Fort St.George,
Chennai – 600 009.

4. The District Collector,
Tiruppur District,
Tiruppur.



WEB COPY



W.P.No.18129 of 2024

G.K.ILANTHIRAIYAN. J.

Lpp

5. The District Employment Officer,
Tiruppur District.

6. Personal Assistant (Development) to
District Collector,
Tiruppur District,
Tiruppur.

W.P.No.18129 of 2024

09.07.2024