



W.P.(MD).No.20368 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.20368 of 2017

B.Nageswaran

...Petitioner

Vs

1.The State of Tamil Nadu,
Represented by Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Secretariat, Fort St. George, Chennai.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The District Adi Dravidar & Tribal Welfare Officer,
O/o. District Adi Dravidar & Tribal Welfare,
Ramanathapuram,
Ramanathapuram District.

4.The Special Tahsildar,
(Adi Dravidar & Tribal Welfare),
Paramakudi,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order in N.Ka.No.2/14836/2017 dated on 11.08.2017 on the file of the third respondent herein by corroborating the order fourth respondent herein in O.Mu.A/355/17 dated on 20.06.2017 to quash the same as illegal and consequently



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directing the respondents to issue priority certificate to the petitioner's son namely Kirupanathasarathy by considering the G.O.Ms.No.188 P & AR Department dated 28.12.1976 within the time stipulated by this Court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

Heard Mr.D.Balamurugapandi, learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Additional Government Pleader for the respondents.

2. This Writ Petition has been filed challenging the the impugned order dated 11.08.2017 by corroborating the order of the fourth respondent dated 20.06.2017 and to consequently direct the respondents to issue Priority Certificate to the petitioner's son namely Kirupanathasarathy by considering the G.O.Ms.No.188 P & AR Department dated 28.12.1976.

3. The petitioner's claim for a Priority Certificate for the lands acquired belonging to their family was rejected through the impugned order. The fourth respondent rejected the petitioner's claim by stating that



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the lands in question, belonging to the petitioner's family, were acquired as far back as 1964. Moreover, the petitioner, a retired employee of the Tamil Nadu Electricity Board, has admitted to owning agricultural lands, comprising 1 acre 40 cents of nanjai lands and 2 acres of punjai lands. In light of the petitioner's admission of factual circumstances, it is clear that they are not entitled to a Priority Certificate. The relevant Government Order specifically provides for the grant of Priority Certificates only to individuals who have lost their livelihood due to the acquisition of their lands in full or in part. Since the petitioner is employed with the electricity board and also owns agricultural lands, it cannot be said that they have lost their livelihood due to the acquisition of land in 1964.

4. Hence, I do not find any infirmity in the order impugned herein and the Writ Petition lacks merits and it is liable to be dismissed. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:

WEB COPY

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K.KUMARESH BABU, J.

Nsr

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