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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA Nos. 2129 and 2130 of 2026 AND
CMP Nos. 18468 and 18472 of 2026

K.Kamalam

..Appellant in
WA 2129 of 2026

R.Rajendran

… Appellant in
W.A.2130 of 2026

Vs

1. The Principal Secretary to Government
   Government of tamil Nadu, Energy
   Department, Fort St. George, Chennai 9.

2. The Chairman, TANGEDCO
   Tamil Nadu Electricity Board, No. 800 Anna
   Salai, Chennai 2

3. The Chief Engineer (Personnel), TANGEDCO
   Tamil Nadu Electricity Board, No. 800 Anna
   Salai, Chennai 2.

4. The Chief Engineer
   Mettur, Thermal Power Station,
   TANGEDCO Mettur, Mettur Dam, Salem
   District 636 406

..Respondents

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Prayer in WA No. 2129 of 2026 : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 06.03.2024 passed in WP No. 682 of 2023.

Prayer in WA No. 2130 of 2026 : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 06.03.2024 passed in WP No.567 of 2023.

In both W.As.

For Appellants : Mr.G.Thyagarajan
For Respondents : Mr.Anand Gopalan
for M/s.Agam Legal Associates

COMMON JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

Under assail is the common order dated 06.03.2024 passed in a batch of writ petitions.

2. The facts in nut shell, not controverted between the parties are that the lands belonged to the appellants' family was acquired for establishing a Thermal Power Plant by the Tamil Nadu Electricity Board. The Government of Tamil Nadu acquired the lands under the Land Acquisition laws and settled compensation to the land owners. The Tamil Nadu Electricity Board is the requisitioning body. It is not in dispute between the parties that the land owners received compensation in the year 2004 and subsequently in the years 2010 and 2012, alternate lands are provided to the land losers. Not satisfied with the compensation and the alternate land granted to these land

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losers, applications have been filed seeking employment in Tamil Nadu Electricity Board. Since the same were not considered, writ petitions came to be instituted. The writ court dismissed the writ petitions on the ground that the claim is belated and the applicants have not established any right.

3. Learned counsel for the appellants Mr.Thiagarajan would mainly contend that at the time of acquisition, the authorities have given a promise that they will provide alternate land as well as employment in the Tamil Nadu Electricity Board. Thus, they are bound to provide employment to one person from the family of the land losers. The families are waiting for the past about 20 years and the Government has not considered the same. Thus, the writ Court could have considered this aspect.

4. Mr.Anand Gopalan appearing on behalf of the respondents would oppose by stating that, alternate land was promised and it was granted to the land losers. Employment was never part of the scheme implemented for acquiring the lands. About 358 families are land losers, whose lands are acquired in the year 2004. Alternate lands were provided in the year 2010 and 2012. After a lapse of several years, the son / daughter / daughter-in-law / grandson / granddaughter of the land losers' family started filing applications seeking employment. The said applications are not considered.

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Hence, writ petitions came to be instituted and a direction was issued to consider the applications. Thereafter, a contempt petition was filed. The learned Single Judge of this of this Court directed for implementation of the order for providing employment. The Board preferred Contempt Appeal No.1 of 2020 and the Division Bench delivered a judgment on 08.06.2022 allowing the appeal, by setting aside the orders of the learned Single Judge.

5. Regarding the legal rights of the families of land losers, compensation is a statutory right conferred under the Land Acquisition law. In the present case, compensation had been settled to the land losers. In addition, the Government promised to provide alternate land to the land losers. Accordingly, alternate lands are provided to the land losers in the year 2010 and 2012, which is not disputed. Providing employment is only a concession and is not an absolute right. In such cases where lands are acquired, the Government do consider grant of employment on priority basis and based on the terms and conditions. However, providing employment in such circumstances cannot be claimed as an absolute right.

6. In the present case, acquisition was made in the year 2004, compensation was settled and thereafter alternate lands were provided in the year 2010 and 2012 and thus, the application seeking employment made after

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a lapse of about 18 years from the year of acquisition is unsustainable. That apart, the applications are received from the ineligible members of the family, which all are not considered. Even in respect of the eligible members of the family, employment cannot be a vested right. In the impugned writ order, the learned Single Judge in Para 14 has settled the principles in consonance with the law established and for all these reasons, this Court does not find any infirmity in the writ order dated 06.03.2024.

7. Accordingly, the writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (N.S.,J.)
21-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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   Fort St. George,Chennai 9.

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   No. 800 Anna Salai,
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S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.

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