

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.A.No.1217 of 2015

K.Venkatesan

.. Appellant/Petitioner

Vs.

1.The Government of Tamilnadu,
Industries Department,
Fort St. George,
Chennai-600 009.

2.The General Manager,
BHEL /BA7, Ranipet,
Vellore District.

3.The Collector,
Vellore,
Vellore District.

4.The Convener and District Revenue Officer,
Screening Committee,
Vellore District,
Vellore.

5.Revenue Divisional Officer,
Ranipet,
Vellore District.

.. Respondents/Respondents

This writ appeal is preferred under Clause 15 of Letters Patent against the order dated 23.08.2012 passed in W.P.No.22136 of 2012.

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the records pertaining to the proceedings in No.in Rc.G3/42165/2011 dated 09.12.2011 passed by the fourth respondent and to quash the same and consequently direct the fifth respondent to appoint the petitioner for any other suitable post in BHEL for which the interview was called for.

For Appellants : Mr.V.P.Rajendran

For Respondent : Mr.P.S.Sivashanmughasundaram,
Spl.G.P. For RR1,3 to 5
Mr.John Zackariya
for M/s.Fox Mandal and Associates for R-2

JUDGMENT

(The Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

The writ petitioner is stated to be a grand son of the land owner, i.e., Valliammal, whose land was acquired by the Government for public purpose of Bharat Heavy Electricals Limited (for short BHEL). As per the scheme, the family of the land owner is entitled to be considered for employment. The son of the said Valliammal, i.e., K.Kuppan, was granted employment in lieu of acquisition of land owned by Valliammal.

2 The petitioner, who is the grand son of the land owner, submits that the petitioner is also entitled to employment as it is mandatory. The land in question was acquired vide award dated 26th June, 1982. G.O.Ms.No.87, Industries Department, dated 27th January, 1981 prescribes that in case of land owners, who are completely deprived of their entire extent of lands, atleast one member from each family, should be given employment in the project. Pursuant thereto, a son of Valliammal, i.e., K.Kuppan was already appointed. Indisputably, the petitioner is the grand son of the land owner. Under the scheme, only one member is entitled to employment. Once a member is appointed, any other member is not entitled to claim employment in the project in lieu of acquisition of land. The learned Single Judge has rightly dismissed the writ petition, as being bereft of merit.

3 We have also examined the case in full. We do not find any merit in the case, warranting interference. Thus, the writ appeal stands dismissed. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

vvk

To

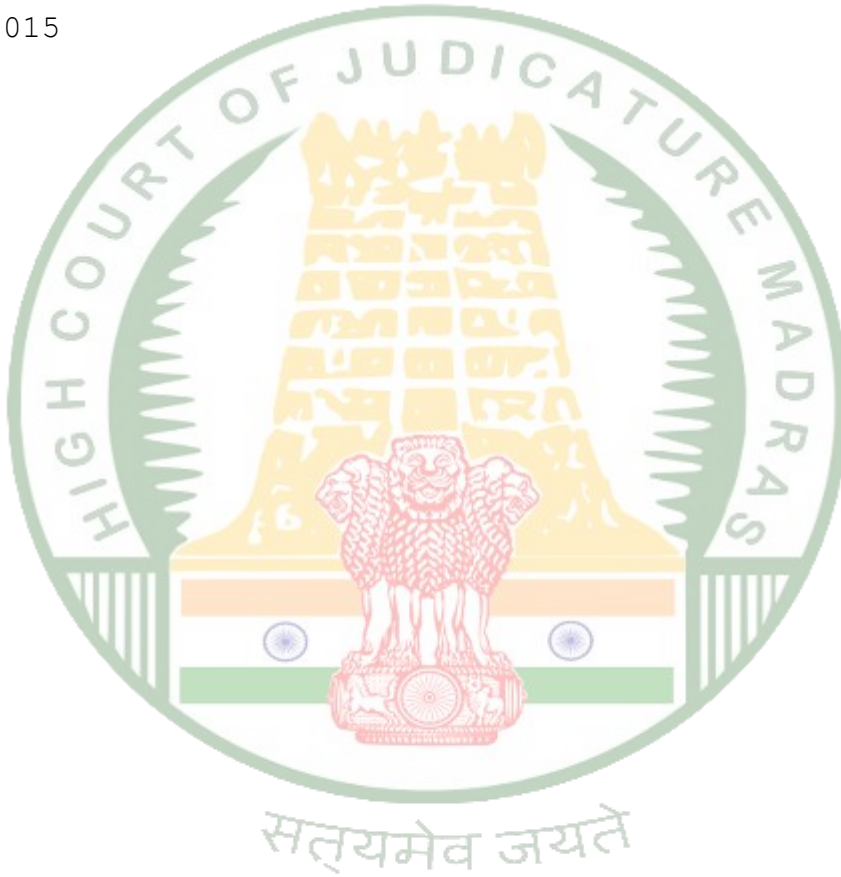
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1 cc to M/s.Fox Mandal and Associates , Advocate Sr.No.46673
1 cc to Mr. V.P.Rajendran, Advocate Sr.No.47144

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