

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.26003 of 2015

V.Meenakshi

... Petitioner

Vs.

1. The Tamil Nadu Electricity Board
represented by its Chairman,
N.P.K.K.R. Maligai,
Anna Salai, Chennai - 600 002.
2. The Tamil Nadu Generation and
Distribution Corporation,
represented by its Managing Director,
N.P.K.K.R. Maligai,
Anna Salai, Chennai - 600 002.
3. The Chief Engineer - Personnel,
North Madras Thermal Power Project,
North-Chennai, Athippattu,
Chennai - 600 120.
4. The District Collector,
Thiruvallur District,
Thiruvallur.
5. The Land Acquisition Officer and
Special Tahsildar (LA),
Unit-V, North Madras Thermal Power Project,
Kathivakkam, Chennai - 600 057.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 3rd respondent to consider the candidature of the petitioner's son, V.Kamalakannan and to provide him an employment in any one of the posts under the 3rd respondent unit North Madras Thermal power project, North-Chennai, Athippattu Chennai-600 120 or in any other place subject to fulfilling of qualifications.

For Petitioner : Mr.R.Munuswamy

For Respondents : Mrs.R.Varalakshmi (R1 to R3)
Mr.V.Subbiah,
Special Government Pleader (R4 & R5)

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2.The petitioner would state that T.Viswanathan has succeeded to the estate of his mother and became the owner of the lands in Survey No.1542/1A ad-measuring an extent of 0.22.5 Hectare situated at Voyalur Village, Ponneri Taluk, Thiruvallur District and the petitioner is the wife of the said T.Viswanathan and she is having two sons, V.Elaiyaraja and V.Kamalakannan. They cultivate their lands to eek out their livelihood. During the year 1991-92, the respondents had acquired their lands for the purpose of establishing North Madras Thermal Power Station. While acquiring the lands, they have been given assurance that one member of the family will be provided with employment. On believing the same, the petitioner has parted with the lands. The grievance expressed by the petitioner is that very many years had passed, but the respondents 1 to 3 are yet to keep their promise, as they have not passed any orders on the representation made by the petitioner 23.07.2014 and hence, came forward to file this Writ Petition.

3.The learned counsel for the petitioner has drawn the attention of this Court to the common order dated 22.09.2011 made in W.P.Nos.13789, 13790 and 13791 of 2011 and would submit that in paragraph no.7 of the order, this Court has given certain guidelines for enumeration and further has drawn the attention to G.O.Ms.No.656 Labour and Employment Department dated 29.06.1978 and would submit that in terms of the said Government Order, employment assistance should be provided to those whose lands are acquired and hence prays for appropriate orders.

4. Heard the submissions of the learned counsel for the petitioner, Mrs.R.Varalakshmi, learned counsel for the respondents 1 to 3 and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents 4 & 5.

5.It is relevant to extract paragraph no.7 of the order made in W.P.Nos.13789, 13790 and 13791 of 2011 dated 22.09.2011, which reads as follows:

"7.As seen above, so far enumeration was not done by the fourth respondent Collector. However, now it is stated that the District Collector just has commenced the identification process. To make the process expeditious, the petitioners are directed to approach the District Collector Thiruvellore with relevant records to identify them so as to get benefits under the scheme within four weeks from the date of receipt of the copy of the order and the 4th respondent District Collector is directed to finalise the enumeration work within 12 weeks thereafter. As soon as the enumeration work is completed as per the schedule given above, the fourth respondent shall forward a list of beneficiaries to the first respondent Electricity Board, which will in turn implement the same and shall act upon the list provided by the District Collector as per the Board proceedings B.P.Per (FB) No.3 Administrative Bench dated 25.1.1990 thereafter."

6. Though the petitioner has prayed for larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the same, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 23.07.2014, on merits and in accordance with law, after taking note of the order dated 22.09.2011 made in W.P.Nos.13789, 13790 and 13791 of 2011 and G.O.Ms.No.656 Labour and Employment Department dated 29.06.1978 and pass appropriate orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

va

To

1. The Chairman,
The Tamil Nadu Electricity Board
N.P.K.K.R. Maligai,
Anna Salai, Chennai - 600 002.

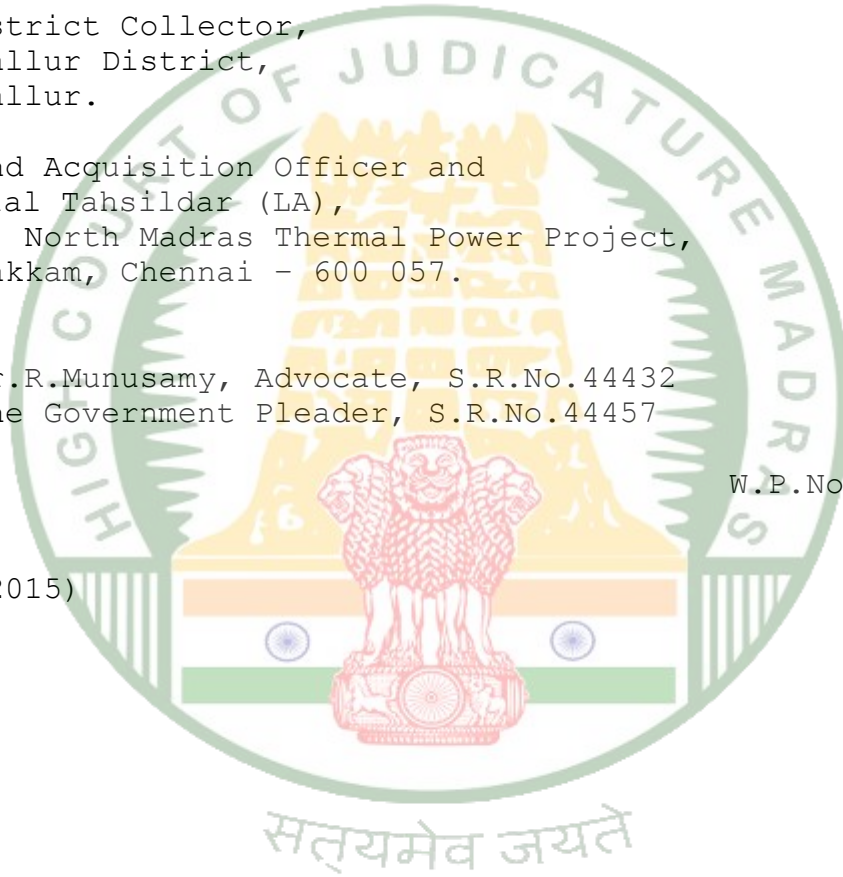
WEB COPY

2. The Managing Director,
The Tamil Nadu Generation and
Distribution Corporation,
N.P.K.K.R. Maligai,
Anna Salai, Chennai - 600 002.
3. The Chief Engineer - Personnel,
North Madras Thermal Power Project,
North-Chennai, Athippattu,
Chennai - 600 120.
4. The District Collector,
Thiruvallur District,
Thiruvallur.
5. The Land Acquisition Officer and
Special Tahsildar (LA),
Unit-V, North Madras Thermal Power Project,
Kathivakkam, Chennai - 600 057.

+1cc to Mr.R.Munusamy, Advocate, S.R.No.44432
+1cc to the Government Pleader, S.R.No.44457

W.P.No.26003 of 2015

NM(CO)
CA(04/09/2015)



WEB COPY