

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.10093 of 2016

Vellaiyan

... Petitioner

Vs

- 1 The State of Tamilnadu
Rep. by its Principal Secretary to
Government Energy Department Fort St.George
Chennai-600 009.
- 2 The Chairman
Tamil Nadu Electricity Board/TANGEDCO No.800
Anna Salai Chennai-600 002.
- 3 The Chief Engineer
(Personal) Tamil Nadu Electricity Board/
TANGEDCO No.800 Anna Salai Chennai-600 002.
- 4 The Superintending Engineer
Mettur Thermal Power Project (MTPS)
Tamil Nadu Electricity Board Mettur Dam-2
Salem District. ... Respondents.

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents to provide employment to the petitioner viz. Vellaiyan as per the rehabilitation scheme formulated by the respondents for the land acquisition of Mettur Thermal Power Project within stipulated time.

For Petitioner :	Mr.M.R.Jothimanian
For Respondents :	Mr.K.Dhananjayan, for R.1 Mr.P.R.Dhilip Kumar, for R.2 to R.4

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to provide employment to him as per the rehabilitation scheme formulated by the respondents for the land acquisition of Mettur Thermal Power Project within a stipulated time.

3. It is the case of the petitioner that he and his family members owned lands in S.Nos.337 1A, 337 1C, 337 1D, 337 1E, 337 1F, 338/1, 338/2, 338/3, situated at P.N.Patty Village, Mettur Taluk, Salem District, to an extent of 5.78 acres. The Land Acquisition Officer/ Special Tahsidlar, Mettur has acquired the above said lands for Mettur Thermal Power Project at Mettur Dam and assured that they provide compensation and employment to the land owners or the legal heirs. The petitioner is eligible to get employment based on the said scheme. Hence, the petitioner made an application on receipt of the said application, the fourth respondent issued an interview letter calling upon him to appear for interview. The petitioner had also appeared in the interview and submitted all the relevant documents. But, till date, no reply is received from the fourth respondent. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. Learned counsel appearing for the petitioner submitted that similarly placed persons like that of the petitioner, got employment from the respondents as per the direction of this Court made in W.P.Nos.32818 to 32820 of 2002 dated 13.9.2012, W.P.Nos.22326 to 22330 of 2013 dated 12.8.2015 and W.P.No.22526 of 2013 dated 12.8.2015. Hence, following the same, similar order could be passed in this writ petition also.

5. I have also heard the learned Special Government Pleader, who has taken notice on behalf of the first respondent and the learned counsel, who has taken notice on behalf of the respondents 2 to 4.

6. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to submit a fresh representation to the respondents along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the representation of the petitioner

and pass appropriate orders, on merits and in accordance with law and also in the light of the orders passed in W.P.Nos.32818 to 32820 of 2002 dated 13.9.2012, W.P.Nos.22326 to 22330 of 2013 dated 12.8.2015 and W.P.No.22526 of 2013 dated 12.8.2015 within a period of six weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1 The Principal Secretary to Government
State of Tamil Nadu
Energy Department Fort St.George Chennai
600009.
- 2 The Chairman
Tamil Nadu Electricity Board/TANGEDCO
No. 800 Anna Salai Chennai-600 002.
- 3 The Chief Engineer
(Personal) Tamil Nadu Electricity Board/
TANGEDCO No.800 Anna Salai Chennai-600 002.
- 4 The Superintending Engineer
Mettur Thermal Power Project (MTPS)
Tamil Nadu Electricity Board Mettur Dam-2
Salem District.

+1cc to Mr.M.R. Jothimanian, Advocate, S.R.No.64176
+1cc to Mr.P.R. Dhillipkumar, Advocate, S.R.No.64077

cp (CO)
md(01/12/2016)

W.P.No.10093 of 2016