

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.10094 of 2016

C.Varadharaju

... 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.  
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
- 5 The District Collector  
Salem District Salem.
- 6 The Revenue Divisional Officer  
Mettur Revenue Division Mettur Dam 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 1 to 4 to provide employment to the petitioners son viz. V.Devarajan 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, R5 and R6  
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 1 to 4 to provide employment to the petitioner's son viz., V.Devarajan as per the rehabilitation scheme formulated by the respondents for the land acquisition of Mettur Thermal Power Project within stipulated time.

3. It is the case of the petitioner that he was the owner of the land in S.Nos.500/1 and 500/2 situated at P.N.Patty Village, Mettur Taluk, Salem District, to an extent of 2.81 ½ 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. Hence, the petitioner submitted an application to the fourth respondent seeking employment to his son V.Devarajan. But, the same was not considered. On verification, he came to know that fasli number was changed and therefore, the employment would not be given to his son. Therefore, he made an application before the respondents 5 and 6 to rectify the fasli number and thereafter, a decision was taken in tri-party meeting held on 22.7.2009 and 30.12.2009 respectively. As per the decision of the Tri Party Meeting, a recommendation was sent to the Commissioner for Land Administration, Chennai on 25.5.2011 and thereafter, the same recommendation was forwarded to the first respondent on 2.9.2011 by the Commissioner for Land Administration for providing employment to his son and others. Despite the same, no employment was given to his son till date. 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 respondents 1, 5 and 6 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 1 to 4 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 1 to 4 are directed to consider the representation of the petitioner seeking employment to the petitioner's son viz. V.Devarajan as per the rehabilitation scheme formulated by the respondents for the land acquisition of Mettur Thermal Power Project 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

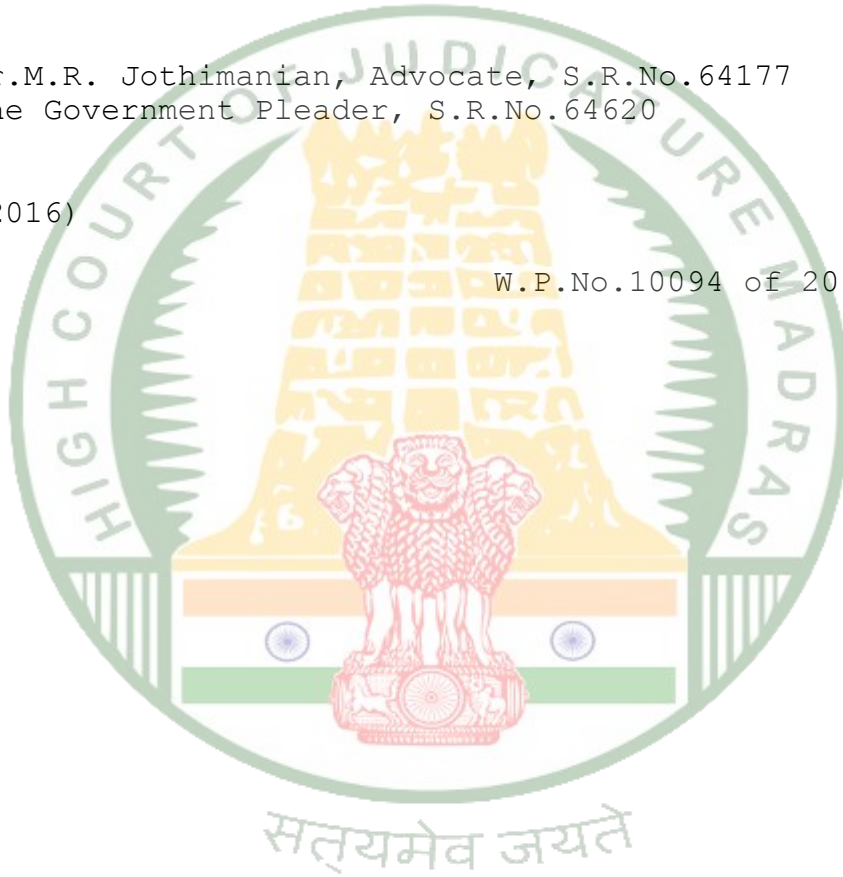
- 1 The Principal Secretary to Government  
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+lcc to Mr.M.R. Jothimanian, Advocate, S.R.No.64177  
+lcc to the Government Pleader, S.R.No.64620

md(01/12/2016)

W.P.No.10094 of 2016



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