

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.10631 of 2016

M.Krishnan

... Petitioner

Vs.

1.Tamil Nadu Generation & Distribution Corporation Ltd.,
rep. by its Chief Engineer (Personnel),
144, Anna Salai, Chennai-2.

2.The Chief Engineer,
Mettur Thermal Power Station,
Mettur Dam, Mettur-634 406,
Salem District.

3.The Superintending Engineer,
Mettur Thermal Power Station,
Mettur Dam, Mettur,
Salem District.

... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the respondents to consider his representation dated 29.12.2014 and give suitable employment to the petitioner's son Srinivasan forthwith, as given to the members of the other land losers who are similarly placed like that of the petitioner.

For Petitioner : Mr.V.Ajoy Khose

For Respondent : Mr.P.R.Dhilip Kumar
Nos.1 to 3

O R D E R

This Writ Petition has been filed by the petitioner seeking a Writ of Mandamus, directing the respondents to consider his representation dated 29.12.2014 and to give suitable employment to his son Srinivasan forthwith, as given to the members of the other land losers who are similarly placed like that of the petitioner.

2.The petitioner's land had been acquired by the State Government in the year 1986 for the benefit of the Electricity Board. The petitioner, as the owner of the property had been paid with a compensation of Rs.2466.70. In addition to the compensation paid, the second respondent had assured all the land losers that one member in each of the family, whose lands were acquired would be provided employment assistance. As against their own promise for giving employment assistance, till date, they have not come forward to extend the other part of the benefit viz., employment assistance. Therefore, the petitioner gave a representation dated 29.12.2014 to consider his prayer in the light of the orders passed by this Court in W.P.Nos.32818 to 32820 of 2002 & W.P.391 of 2014 dated 13.09.2012 & 18.02.2015 respectively. As the same has not been considered, the petitioner has come forward with the present writ petition.

3.The learned counsel for the petitioner would submit that when a similar and identical issue came before this Court in W.P.Nos.32818 to 32820 of 2002 in which the petitioners namely, Ayyathurai, Mariappan and Karuppannan had prayed for a similar relief, since their family lands were also acquired by the respondents in Survey number & Sub division 374/3, this Court after considering the pros and cons of the parties, have finally allowed the said writ petitions on 13.09.2012, directing the respondents to issue appointment orders to the petitioners, within a period of three months from the date of receipt of the copy of the order. The learned counsel for the petitioner submitted that in the present case also, petitioner's land was taken for ash dumping in the year 1986 and therefore, he pleaded that a direction may be issued to the respondents to consider the petitioner's representation dated 29.12.2014 in the light of the order passed by this Court in W.P.Nos.32818 to 32820 of 2002 dated 13.09.2012.

4.Mr.P.R.Dhilip Kumar, learned counsel takes notice on behalf of the respondents 1 to 3 and has sought time to dispose of the petitioner's representation dated 29.12.2014.

5.Considering the same, this Court directs the respondents to consider and dispose of the petitioner's representation dated 29.12.2014 in the light of the order passed by this Court in W.P.Nos.32818 to 32820 of 2002 dated 13.09.2012, after verifying as to whether the family land of the petitioner was acquired. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

DP

To

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Corporation Ltd.,
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1 cc to M/s.V. Ajaykhose, Advocate, sr. 18156

W.P.No.10631 of 2016

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