

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

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THE HONOURABLE MR. **JUSTICE R.SUBBIAH**

**Writ Petition No.35127 of 2016**

P.Rasu

... Petitioner

Vs

1 The State of Tamil Nadu  
rep.by its Principal Secretary to Government  
Energy Department Fort St.George Chennai  
600009.

2 The Chairman  
Tamilnadu Electricity Board No.800 Anna  
Salai Chennai 600002.

3 The Chief Engineer (Personal)  
Tamilnadu Electricity Board No.800 Anna  
Salai Chennai 600002.

4 The Superintending Engineer  
Hydro electric project Tamilnadu  
Electricity Board Oorachikottai Barrage-IV  
Now at Vendipalayam  
Bhavani 638302 Erode.

... 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's son  
namely

R.Yuvaraja as per the rehabilitation scheme formulated by the respondents under the land acquisition scheme and in compliance of the order made in WP.No.46687 of 2002 dated 11.2.2013 and WP.No.22526 of 2013 dated 12.8.2015 passed by this court.

For Petitioner : Mr.M.R.Jothimanian  
For Respondents : Mr.R.Venkatesh,  
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 his son namely R.Yuvaraja as per the rehabilitation scheme formulated by the respondents under the land acquisition scheme and in compliance of the order made in WP.No.46687 of 2002 dated 11.2.2013 and W.P.No.22526 of 2013 dated 12.8.2015 passed by this Court.

3. It is the case of the petitioner that his father namely, Ponnappan was the owner of the land in Survey Nos.242/6, situated at Poolampatty Village, Sangagiri Taluk, Salem District to an extent of 0.53.00 hectares. The Land Acquisition Officer has acquired the above said land for Lower Mettur Hydro Electricity Project at Nerinjipettai 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. But, his claim was rejected on the ground that he was not having minimum qualification, against which he filed a writ petition before this Court in W.P.No.46687 of 2002 and this Court allowed the said writ petition on 11.2.2013 directing the respondents to provide employment to the petitioner. Despite the same, till date he was not given employment. Now the petitioner is over age. Hence, he nominated his son R.Yuvaraja to get employment from the respondents' board based on the rehabilitation scheme. In this regard, he made several representations to the respondents. But, there is no response. Hence, finally, he sent a representation dated 16.6.2016 to the respondents to provide employment to his son. But, the same was also not considered. Hence, left with no other alternative, the petitioner has come up with the present writ petition.

4. Learned counsel appearing for the petitioner submitted that similarly placed persons in the very same land acquisition got employment from the respondents as per the direction of this Court made in W.P.No.22326 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 Government Advocate appearing for the first respondent and the learned counsel appearing for 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 WP.No.46687 of 2002 dated 11.2.2013 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.

**17.10.2016**

Index:Yes/No  
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**R.SUBBIAH, J**

sbi

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