

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.42174 of 2016

D.Veerangan

... Petitioner

Vs

- 1 The State of Tamil Nadu
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 petitioners son viz. V.Ranjith as per the rehabilitation scheme formulated by the respondents under the land acquisition category on bar with similarly placed persons and in terms of the orders of this Honourable Court made in W.P.Nos.32818 to 32820 of 2002 dated 13.09.2012 and in W.P.No.31621 of 2016 dated 03.10.2016.

For Petitioner : Mr.M.R.Jothimanian
For Respondents : Mr.O.Selvam, GA,
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 viz. V.Ranjith as per the rehabilitation scheme formulated by the respondents under the land acquisition category on par with similarly placed persons and in terms of the orders of this Court made in W.P.Nos.32818 to 32820 of 2002 dated 13.9.2012 and in W.P.No.31621 of 2016 dated 3.10.2016.

3. It is the case of the petitioner that his family owned land in S.No.527/2A, situated at P.N.Patty Village, Mettur Taluk, Salem District to an extent of 0.28.0 hectares. The Land Acquisition Officer has acquired the above said land for Mettur Thermal Power Project at Mettur Dam and assured that they would provide compensation and employment to the land owners or the legal heirs. Hence, the petitioner made an application dated 24.9.2010 seeking employment to his son V.Ranjith. But, the same is pending without any progress. Hence, finally, he sent a representation dated 10.10.2016 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 in terms of the orders of this Court made in W.P.Nos.32818 to 32820 of 2002 dated 13.9.2012 and in W.P.No.31621 of 2016 dated 3.10.2016. 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 of this Court made in W.P.Nos.32818 to 32820 of 2002 dated 13.9.2012 and in W.P.No.31621 of 2016 dated 3.10.2016, within a period of six weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi
To

- 1 The 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)
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- 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.70733
+1cc to the Government Pleader, S.R.No.71284

ks(CO)
md(05/01/2017)

W.P.No.42174 of 2016