

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2016

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.5052 of 2016

C.Tamilarasan

.. Petitioner

versus

1.Neyveli Lignite Corporation Ltd.,
rep. by the Chairman
and Managing Director,
Neyveli Lignite Corporation Ltd.,
Neyveli, Cuddalore District.

2.The District Collector and District,
Administrator for NRRP,
Collectorate, Cuddalore.

3.The Government of Tamil Nadu,
rep. by the Commissioner and Secretary,
Industries Department,
Fort St. George,
Chennai-600 001.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing respondents 1 and 2 herein to consider the petitioner's application dated 19.09.2015 and provide the petitioner any suitable employment under the first respondent herein.

For petitioner: Mr.V.Kalyanaraman for
M/s.Aiyar and Dolia

For respondents: Mr.K.Rajendraprasad
Government Advocate
for RR2 & R3

ORDER

In this writ petition, prayer has been made for issuance of mandamus directing respondents 1 and 2 herein to consider the petitioner's application dated 19.09.2015 and provide the petitioner any suitable employment under the first respondent herein.

2.The case of the petitioner is that he is a poor agriculturist and owning a small extent of land namely 0.30.0 hectares in Kammapuram Village, Viruthachalam Taluk. For the expansion of NLC project, the second respondent on behalf of the first respondent had acquired all the lands of the petitioner under the provisions of Tamil Nadu Acquisition of land. The petitioner had studied upto 12th standard and he is holding a diploma in computer software and in Medical Laboratory Technology besides holding Transport Vehicle Driving Licence. The Government of India had published a National Rehabilitation and Resettlement Policy 2007 on 31.10.2007 under which respondents 1 and 2 have to provide job opportunities for those whose lands have been acquired and the second respondent had been appointed as the District Administrator to implement the above policy. Therefore, the petitioner submitted his applications to the respondents on 28.05.2015 and 19.09.2015 to provide him a suitable appointment, as per the policy. Since the respondents have not taken any action in this regard till date, the petitioner is before this Court.

3.Learned counsel for the petitioner drew the attention of this Court to the counter affidavit filed by the third respondent therein in W.P. No.10122 of 2006 wherein it has been stated as follows:

"12. ... The NLC has also agreed to implement the NRRP and providing all relief and rehabilitation based on the orders of the District Administrator of the Policy and Collector, Cuddalore. Hence the prayer of the writ petitioner is fulfilled."

4. In the light of the above facts, the writ petition is disposed of with a direction to respondents 1 and 2 to consider the petitioner's application dated 19.09.2015 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

vga

To

1.Neyveli Lignite Corporation Ltd.,
rep. by the Chairman
and Managing Director,
Neyveli Lignite Corporation Ltd.,
Neyveli, Cuddalore District.

2.The District Collector and District,
Administrator for NRRP,
Collectorate, Cuddalore.

3.The Commissioner and Secretary,
The Government of TamilNadu
Industries Department,
Fort St. George,
Chennai-600 001.

+1 cc to M/s.Aiyar & Dolia Advocate sr.9270

+1 cc to Government Pleader sr.8838

+1 cc to Mr.FB.Benjamin George Advocate sr.8679

W.P. No.5052 of 2016

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