

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.16308 of 2017 & W.M.P. No.17641 of 2017

K. Mani

Petitioner

vs.

- 1 The Union Minister
Ministry for Steel and Mines
Union Government of India
Udyog Bhavan
New Delhi 110 107
- 2 The Secretary
Ministry for Steel and Mines
Union Government of India
Udyog Bhavan
New Delhi 110 107
- 3 The Chairman
Steel Authority of India Limited
Ispat Bhavan
Lodhi Road
New Delhi 110 103
- 4 The Executive Director
Salem Steel Plant/SAIL
Salem 630 030
- 5 The Estate Manager
Salem Steel Plant/SAIL
Salem 630 030

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 4 to consider the petitioner's representation dated 04.05.2017.

For petitioner : Mr. V. Sekar

For RR 1 & 2 : Mr. S. Rathnasabapathy
Central Government Standing Counsel

ORDER

This writ petition has been preferred seeking a writ of mandamus directing the respondents 1 to 4 to consider the petitioner's representation dated 04.05.2017.

2 The petitioner is an ex-employee of Steel Authority of India Ltd., Salem. While the petitioner was in service, initially, he was allotted "A" type quarter and subsequently, he was allotted "B" type quarter in Cluster C-28/05 at Mohan Nagar Township of Salem Steel Plant and he continued to reside in the said quarter even after his retirement from service. While so, the petitioner has been issued with a notice dated 08.10.2016 under the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, to evict the quarter allotted to him on or before 31.10.2006 and hand over the same to the Town Administration Department. Feeling aggrieved, the petitioner has addressed representations dated 04.05.2017 to respondents 1 and 4 and also to the fifth respondent to drop action under the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act. However, in response, the fifth respondent has addressed a communication to the petitioner on 06.05.2017 informing him that since SAIL has no scheme for leasing of houses, his request could not be considered. The petitioner, aggrieved by the decision taken by the fifth respondent vide communication dated 06.05.2017, has come to this Court seeking a direction to respondents 1 to 4 to consider his representations dated 04.05.2017.

3 The learned counsel for the petitioner would submit that in Circular No.8/2014 dated 15.07.2014 issued by Bokaro Steel Plant, it is stated that ex-employees of Bokaro Steel Plant and spouses/dependents of deceased employees of Bokaro Steel Plant may apply for quarters currently under their occupation and employees superannuating on or before 30.06.2014 only are eligible to apply with certain conditions and thus, when Bokaro Steel Plant has framed a scheme in favour of its ex-employees to apply for quarters on licence basis for three years with certain conditions, the respondents 4 and 5 cannot extend a different treatment to the employees working in SAIL, Salem.

4 But, it is pertinent to point out that when respondents 3 and 4 are not having any such scheme like the one extended by Bokaro Steel Plant for its ex-employees vide Circular No.8/2014 dated 15.07.2014, the petitioner is not entitled to the relief of directing the respondents 1 to 4 to consider his representations dated 04.05.2017.

In such view of the matter, this writ petition fails and is accordingly dismissed. Costs made easy. Connected W.M.P. is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

cad

To

- 1 The Union Minister for Steel and Mines
Government of India
Udyog Bhavan, New Delhi 110 107
- 2 The Secretary, Ministry for Steel and Mines
Government of India
Udyog Bhavan, New Delhi 110 107

+1cc to Mr.S.Rathnasabapathy, Advocate in sr.no.45568

W.P. No.16308 of 2017

KS (CO)
NR 09/08/2017



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