

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-12-2018

CORAM :

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.12354 of 2005

V.Sinthamani

...Petitioner

Vs

1. The Superintending Engineer/Civil,
Hydro Electric Project,
Tamil Nadu Electricity Board,
Ooraatchi Kottai,
Bhavani-2.

2. Tamil Nadu Electricity Board,
Represented by its Chairman,
Anna Salai,
Chennai-600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the letter No.08244/512/NIPI/1(1)/04-1, dated 20.10.2004 passed by the first respondent and quash the same and further direct the respondents to give a suitable appointment to the petitioner's son Mr.M.A.Muthu M.A., M.Phil., in the respondent-Electricity Board.

For Petitioner : Mr.S.Chandrabose.

For Respondents : Mr.P.R.Dhilip Kumar,
Standing Counsel for
Electricity Board.

O R D E R

The order of rejection passed by the first respondent dated 20.10.2004 in respect of the claim of the writ petitioner for providing employment under the land losers category, is under challenge in the present writ petition.

2. The learned counsel for the writ petitioner states that the writ petitioner is the owner of the land measuring 0.17.5 Hectares bearing S.No.1/3 Part Reddiyur, Koalnayackam Patti Village, Mettur Taluk, Salem District. The land belongs to

the writ petitioner was acquired by the Land Acquisition Officer for the purpose of Lower Mettur Hydro Electric Project.

3. In view of the fact that the family of the petitioner suffered on account of the land acquisition proceedings, the writ petitioner made an application to the first respondent on 14.9.2014. The said application of the writ petitioner was rejected by the first respondent on the ground that the application seeking job was filed after lapse of 11 years and therefore, the case of the writ petitioner cannot be considered.

4. Even at the time of filing of the writ petition, the writ petitioner was aged about 59 years and now he would be around 72 years. At the age of 72 years, and the question of providing public employment to the writ petitioner does not arise at all. Even in case of seeking appointment to the son of the writ petitioner, this Court is of an opinion that the land was acquired long back and now even the order of rejection impugned was issued on the ground that the application was submitted after lapse of 11 years. Thus, at this length of time, the question of considering the case of the son of the writ petitioner for providing public employment does not arise at all.

5. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Svn

Sd/-

Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Superintending Engineer/Civil,
Hydro Electric Project,
Tamil Nadu Electricity Board,
Ooratchi Kottai,
Bhavani-2.

2. Tamil Nadu Electricity Board,
Represented by its Chairman,
Anna Salai,
Chennai-600 002.

+1cc to M/s.S.Chandrabose, Advocate, S.R.No.83909

+1cc to M/s.P.R.Dhilip Kumar, Advocate, S.R.No.84076

WP No.12354 of 2005

kak(03/01/2019)