

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.01.2019
CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.22539 of 2005

R. Anthony Peter

...Petitioner

Vs

1.The Director Personnel Corporate Office,
Block - 1, NLC limited, Neyveli

2. The Chief General Manager
Fertilizer Plant, NLC Limited, Neyveli 7

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to appoint the petitioner in Neyveli Lignite Corporation Limited, under the deceased employee dependants scheme.

For Petitioner : Mr. V.Raghavachari

For Respondents : Mr. N.Nithianandam

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents to appoint the petitioner in Neyveli Lignite Corporation Limited, under the deceased employee dependants scheme.

2. The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner is eligible for appointment under the deceased employee dependant scheme. The father of the writ petitioner passed away on 26.11.1995, while he was in service of the Neyveli Lignite Corporation limited. On account of the sudden demise of the father of the writ petitioner, the family was in penurious circumstances and they were not in a position to meet out their day-to-day expenditures. On account of the poverty, the writ petitioners submitted an application, seeking appointment on compassionate grounds and most specifically under the deceased employee dependent scheme. The application submitted by the writ petitioner was not considered by the respondents on the ground that the writ petitioner had produced Bogus Educational Certificate. The letter sent by the writ petitioner, which is enclosed in Page No.1 of the typed set of papers filed along with the writ petition reveals that the writ petitioner himself

admitted the fact that he had submitted a Bogus Educational Certificate.

3. Thus, This Court is of an opinion that the petitioner was misguided by some other persons and he has also frankly admitted the fact that the certificate produced by him was bogus and not genuine one. Having revealed the truth before the authorities by way of a representation, this Court is of an opinion that the respondents are at liberty to consider the case of the writ petitioner.

4. The learned counsel for the respondents objected the claim of the writ petitioner which was initially considered and rejected during the year 1996 itself. The writ petition itself was filed after a lapse of 9 years during the year 2005. Thus, now after a lapse of 22 years, the case of the writ petitioner cannot be considered. However, it is left open to the respondents to decide the issues on merits and in accordance with law.

5. With these observations, the writ petition is devoid of merits and stands disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

kak/kmm

To

- 1.The Director Personnel Corporate Office,
Block - 1, NLC limited, Neyveli
2. The Chief General Manager
Fertilizer Plant, NLC Limited, Neyveli 7

A.SK(19/02/2019)

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