

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.13386 of 2014 &

M.P.No.1 of 2014

B.M.Vishnuprasad

...Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Special Tahsildar,
Land Acquisition,
SIPCOT-Oragadam Expansion Scheme,
Division No.1, Sriperumbandur Taluk,
Kancheepuram District.

3.The Principal Secretary & Chairman and
Managing Director,
SIPCOT, Egmore, Chennai - 600 008.

4.The General Manager,
SIPCOT, Egmore, Chennai - 600 008.

5.The Chairman & Managing Director,
Renault Nissan Automotive Pvt. Limited,
Oragadam, Sriperumbandur Taluk,
Kancheepuram District.

...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the third and fourth respondents to sponsor the name of the petitioner for appointment in the assembly line or any other suitable post pursuant to the qualification possessed by the petitioner under the control of the fifth respondent.

For Petitioner : Mr.A.Ilayaperumal

For Respondents : Mr.B.Anand
Government Advocate for R1 & R2
M/S.SUDHARSANA SUNDAR FOR R3 & R4
Mr.S.Ramesh for R5

O R D E R

In this Writ Petition, the petitioner seeks for a direction to the the third and fourth respondents to sponsor the name of the petitioner for appointment in the assembly line or any other suitable post pursuant to the qualification possessed by the petitioner under the control of the fifth respondent.

2. The case of the petitioner is that his father's land was acquired by the SIPCOT for industrial purpose in Sriperumbandur Taluk, Kancheepuram District. It is stated that the first respondent has issued a Press Note dated 21.04.2007 in Tamil Daily Dina Thanthi, wherein, the first respondent has categorically stated that in respect of persons / individual whose land were acquired under the the scheme, suitable employment opportunities would be given to the affected persons in the companies which are likely to come up on the basis of the educational qualification possessed by them. According to the petitioner, he has undergone B.E. Mechanical Engineer Course during the Academic year 2009-2013 and the fifth respondent-Company has started its operation on 18.03.2010 and therefore, there are some vacancies in the fifth respondent-Company to accommodate the petitioner. Since the lands of the petitioner's father was acquired, the petitioner's father made a representation to the respondents on several occasions, however, the same was not considered. Hence, the petitioner is before this Court.

3. The third and fourth respondents have filed a counter affidavit by stating that the based on the representation received from the ex-landowners, the allottee's are providing 10% job in their unit subject to eligibility. The petitioner's request for providing job has been forwarded to the fifth respondent for consideration and on enquiry, it is learnt that the petitioner has not fulfilled the required qualification and hence, the application was rejected.

4. The learned counsel for the petitioner submitted that during the pendency of the Writ Petition, the petitioner has completed M.E in Manufacturing Engineering and the fifth respondent may be directed to consider the name of the petitioner for appointment in any future vacancies.

5. The learned Standing Counsel appearing for the fifth respondent would submit that the operation of the fifth respondent-Unit has already down due to financial constraint and various other factors and further, the operation has been reduced from three shifts to two shifts. It is further submitted that the fifth respondent-Unit has already started to reduce the employees and it is the present position. It is further submitted that as and when the financial stability increases and any vacancies called for in future, the petitioner's name will be considered in the fifth respondent-Unit on priority basis.

6. Recording the above submission made by the learned Standing Counsel for the fifth respondent that whenever any fresh recruiting process is commenced by the fifth respondent, the fifth

respondent has to consider petitioner's recruitment on priority basis as per his qualification.

7. Accordingly, the Writ Petition is disposed of. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

-sd/-
Assistant Registrar

/ TRUE COPY /
Sub-Assistant Registrar

r n s
To

- 1.The District Collector,
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Kancheepuram.
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- 5.The Chairman and Managing Director,
Renault Nissan Automotive Pvt.Ltd.,
Orgadam,sriperumbudur Taluk,
Kancheepuram District.

+1 cc to M/S.SUDHARSANA SUNDAR,Advocate SR.NO. 36887/2019
+1 cc to M/S.A.ILAYAPERUMAL Advocate SR.NO. 37293/2019.
+1 cc to The Government Pleader SR.NO. 38217/19

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ssv(co)
RD 12/06/2019