

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.29187 and 29189 of 2019

Arumugam ..Petitioner in W.P.No.29187 of 2019

Mariammal ..Petitioner in W.P.No.29189 of 2019

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Energy Department,
Fort St. George, Chennai - 600 009.
2. The Chairman,
Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.
3. The Chief Engineer (Personal),
Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.
4. The Superintending Engineer,
Mettur Thermal Power Project (MTPS),
Tamil Nadu Electricity Board,
Mettur Dam-2, Salem District.
5. The Sub-Collector / Revenue Divisional Officer,
Mettur Revenue Division,
Mettur Dam-1, Salem District. .. Respondents in both W.P.'s

Prayer in W.P.No.29187 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to provide employment to the petitioner's son viz., Nallasamy based on his application dated 15.05.2017 as per the rehabilitation scheme formulated by the respondents for the land acquisition of Mettur Thermal Power Project within stipulated time.

Prayer in W.P.No.29189 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to provide employment to the petitioner's son viz., Kannan based on his application dated 15.05.2017 as per the rehabilitation scheme formulated by the respondents for the land acquisition of Mettur Thermal Power Project within stipulated time.

(in all W.Ps):

For Petitioner : Mr.M.R.Jothimanian
For R1 & R5 : Mrs.R.Janaki
Additional Government Pleader
For RR 2 to 4 : Mr.Anand Gopalan

C O M M O N O R D E R

The prayer sought for in both the Writ Petitions is to provide employment to the legal heirs of the petitioners herein based on their respective applications as per the rehabilitation scheme formulated by the respondents for the land acquisition of Mettur Thermal Power Project within a stipulated time.

2.The case of the petitioners is that the petitioners owned the land and house in S.No.503/1, situated at P.N.Patty Village, Mettur Taluk, Salem District and the same was acquired by the respondents for the purpose of Upper Ash Dyke area of Mettur Thermal Power Project, Mettur Dam and Salem District. On 04.03.1999, Board Proceedings issued by the 2nd respondent for providing employment under Land Acquisition category and similarly placed persons already got employment. However, the legal heirs of the petitioners were not given employment. Hence the petitioners made representations to the 4th respondent, which was not considered by the 4th respondent till now, for which the present writ Petitions have been filed.

3.The learned counsel for the petitioners would submit that it would be suffice to issue direction to the respondents to consider the representations sent by the petitioners in accordance with law.

4.In view of the above, I am inclined to issue direction to the respondents to consider the representations sent by the petitioners and pass orders on the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this common order.

5.With the above direction, both the Writ Petitions are disposed of. No costs.

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

- 1.The Principal Secretary to Government,
The State of Tamil Nadu,
Energy Department,
Fort St. George, Chennai - 600 009.
- 2.The Chairman,
Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai - 600 002.
- 3.The Chief Engineer (Personal),
Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai - 600 002.
- 4.The Superintending Engineer,
Mettur Thermal Power Project (MTPS),
Tamil Nadu Electricity Board,
Mettur Dam-2, Salem District.
- 5.The Sub-Collector / Revenue Divisional Officer,
Mettur Revenue Division,
Mettur Dam-1, Salem District.

- +1 CC to The Govt. Pleader sr 86057
+1 CC to Mr.M.R.Jothimanian, Advocate sr 86017
+1 CC to M/s.T.S. Gopalan & Co, sr 85782.
+1 CC to Mr.M.R.Jothimanian, Advocate sr 86018(11/12/2019)

W.P.Nos.29187 and 29189 of 2019

PA(CO)
SP(25/11/2019)