

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32932 of 2019

1 C.JAYADEVANPetitioner

Vs

1 The Collector
Salem District, Salem.

2 The Chairman,
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
No.144, Anna Salai,
Chennai - 600 002.

3 The Superintending Engineer
(General) Mettur Thermal Power Plant
(TANGEDCO), Mettur Dam-6,
Salem District.

4 The Executive Engineer / Civil
Building Maintenance -1,
Mettur Thermal Power Plant
(TANGEDCO), Mettur Dam -6 ,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF MANDAMUS, directing the respondents 2 to 4 to implement the order passed by the 1st respondent Na.Ka.No. 5698/ 2014 /P1 dated 20.09.2018 and appoint the petitioners son Jayakumar in any suitable post under the 3rd respondent on compassionate ground.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.K.S.Suresh, GA for R1
(2to 4) Mr. Anand Gobalan, for....
M/s.T.S. Gopalan & Co

O R D E R

- 1.The present writ petition has been filed by the petitioner praying for the issuance of Writ of Mandamus, to direct the respondents 2 to 4 to implement the order passed by the 1st respondent Na.Ka.No. 5698/ 2014 /P1 dated 20.09.2018 and appoint the petitioner's son Jayakumar in any suitable post under the 3rd respondent on compassionate ground.
- 2.Heard both sides.
- 3.According to the petitioner, the petitioners' ancestral property situated at S.Pudhureddiyur, P.N.Patti Village, Mettur Taluk was acquired by the Government for the purpose of expansion of Mettur Thermal Power plant in the year 2004. The 1st respondent prepared a list for providing employment for the legal heirs whose lands were acquired. The petitioner's name is also found in the list and his name was nominated for the compassionate appointment. The Executive Engineer, Mettur Thermal Power Station rejected the name of petitioner's wife representation for employment on 21.08.2013, on the ground that she did not complete 8th standard, against which the petitioner's wife filed a Writ Petition before this Court in WP.No.32254 of 2013 and the same is pending and thereafter, the petitioner made a representation to the 3rd respondent on 28.11.2017 to recommend the name of petitioner's elder son Jayakumar for employment on compassionate grounds as per the land acquisition scheme. The 1st respondent passed order to provide employment on compassionate appointment on 20.09.2018 and thereafter the 4th respondent issued a letter on 18.02.2019 to the petitioner to produce the relevant documents and thereafter the petitioner produced all necessary documents to the 4th respondent, however till date as no action is forthcoming from the respondents, hence the petitioner is before this Court.
- 4.The learned counsel for the petitioner would submit that it would suffice if this Court directs the fourth respondent to consider and dispose of the representation dated 28.11.2017 made by the petitioner, within a reasonable time fixed by this Court, in accordance with law.
- 5.The learned Government Advocate appearing for the respondents while conceding the claim of the petitioner, would submit that the 4th respondent passed an order dated 18.02.2018, wherein the petitioner has been directed to produce all necessary documents for providing employment under compassionate grounds and therefore, his representation dated 18.10.2019 would be considered and disposed of in accordance with law.

6.Considering the facts and circumstances of the case and the submissions made by the learned counsel on both sides, I am inclined to issue a direction to the second and fourth respondents to consider the representation dated 18.10.2019 made by the petitioner and dispose of the same in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the above observation, this Writ Petition is disposed of.
No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

jrs
To

- 1 The Collector
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Salem District.

+1 CC to Mr.S.Doraisamy, Advocate sr 98119.
+1 CC to Mr.T.S. Gopalan & Co, sr 97989
+1 CC to Govt. Pleader sr 98442.

W.P.No.32932 of 2019

SR(CO)
SP(26/12/2019)