



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.06.2019

CORAM:
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.11270 of 2015

Chelladurai

... Petitioner

vs.

The Deputy Manager (HRM)
Nuclear Power Corporation of India Ltd.,
Koodankulam Nuclear Power Project
Koodankulam Post
Radhapuram Taluk, Tirunelveli District

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to give an appointment in his corporation to anyone of the petitioner's family members on the basis of the respondent assurance, which was given at the time of acquiring the petitioner family land for the purpose of constructing Koodankulam Atomic Power Plant by considering the petitioner's representation dated 19.03.2015 within a time stipulated by this Court.

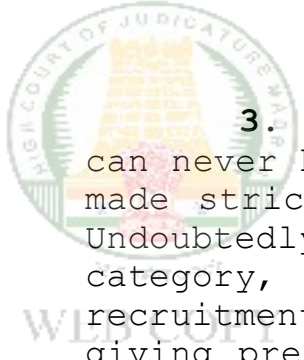
For Petitioner : Mr.M.Kala Murugappan

For Respondent : Mr.K.R.Laxman

O R D E R

The relief sought for in the present writ petition is to direct the respondent to give appointment in the Nuclear Power Corporation to anyone of the writ petitioner's family members on the basis of the assurance, which was given at the time acquiring his land for the purpose of constructing Koodankulam Atomic Power Plant, by considering the representation dated 19.03.2015, within a time stipulated by this Court.

2. The grievance of the writ petitioner is that his land was acquired for developing Nuclear Power Corporation of India Limited, at Koodankulam. In respect of the land acquisition proceedings, a certificate was issued to him for the purpose of claiming priority for employment under the land losers category. The writ petitioner states that though he submitted a representation on 19.03.2015 seeking appointment to anyone of his family members, till date his claim has not been considered by the respondent.



3. This Court is of the considered opinion that appointment can never be claimed as a matter of right. Appointments are to be made strictly in accordance with the recruitment rules in force. Undoubtedly, if the writ petitioner is falling under the priority category, then his case is to be considered with reference to the recruitment rules in force. If provisions are available for giving preference to the land losers category and priority quota is provided to accommodate the land losers, then the case of the writ petitioner is also to be considered along with all other eligible candidates in accordance with the recruitment rules in force. However, the direction sought for in the present writ petition to grant appointment to anyone of his family members cannot be considered. In view of the fact that the writ petitioner claims that he is a land loser, priority, if any provided in the rules, is to be extended to him, whenever the process of appointment is undertaken by the respondent in accordance with the rules in force.

4. With these clarifications, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

Krk

To
The Deputy Manager (HRM)
Nuclear Power Corporation of India Ltd.,
Koodankulam Nuclear Power Project
Koodankulam Post
Radhapuram Taluk, Tirunelveli District

+ 1 CC TO Mr.M.Kala Murugappan, ADVOCATE IN SR No.70329

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