

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :07.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NOS. 18431 to 18433 OF 2013

M.Mohan .. Petitioner in WP.No.18431/2013
Chinnaponnu @ Rathinam .. Petitioner in
WP.No.18432/2013
S.Settu .. Petitioner in WP.No.18433/2013

- Vs -

1. Bharat Heavy Electrical Ltd,
(A Government of India Undertaking)
Boiler Auxiliaries Plant,
Rep by the Manager -HR
(HR-RX RMX TDX & GAX)
Ranipet 632 406
2. The District Collector,
Vellore, Vellore District.
3. The Tasildhar,
Land Acquisition,
Walaja Taluk,
Walajha, Vellore District.
4. The Revenue Divisional Officer,
Ranipettai, Vellore District.
5. The Convener and District Revenue Officer,
Screening Committee Collectorate,
Vellore-632 002. ..Respondents in all WPs

Common Prayer: Writ petitions filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the respondents to provide suitable employment to the petitioners in the 1st respondent institution considering his qualification under the category of displaced land owners/land losers in the light of the directions issued by this Court in a batch of W.P.No.3343 of 2008 etc., dated 2.12.2010.

In all WPs.

For Petitioner : Mr.S.N.Ravichandran

For Respondents: Mr. Sivanthy for

M/S.Fox Mandal & Associates for R1

: Mr.S.Thangavel, Spl.G.P. For RR2 to 5

COMMON ORDER

As the relief sought for in all the petitions are similar, they are disposed of by this common order.

2. These writ petitions have been filed by the petitioners, to direct the respondents to provide suitable employment to the petitioners in the 1st respondent institution considering his qualification under the category of displaced land owners/land losers in the light of the directions issued by this Court in a batch of W.P.No.3343 of 2008 etc dated 2.12.2010.

3. It is the case of the petitioners is that these petitioners are the legal heirs of one Arjuna Reddiyar, who is their grandfather had owned agriculture land in survey No.187/6 at Muguntharayapuram Village to the extent of 0.80 hectares. The said property was partitioned by their grandfather to the petitioners by way of Koorchit dated 10.06.1978. After the partition the above said land was in individual possession of the legal heirs of Arjuna Reddiyar. According to the petitioners the said land was acquired for construction of the 1st respondent industry. As per G.O.Ms.87 the land losers are entitled for getting employment in the respondent industry. In order to avail such benefits the petitioners made a representation 1/12/12, to the 1st respondent as well the District Collector. Till date no order was passed, hence the present writ petition.

4. Learned counsel appearing for the petitioners submitted that without going into the merits of the issue, it would suffice if this Court issues a direction to the 1st respondent to consider the petitioner's representation dated 1.12.12, within a reasonable time as fixed by this Court.

5. Learned Standing Counsel appearing for the 1st respondent/BHEL submitted that the very same issue was decided in W.A.No.1275 of 2008, dated 29.9.2013 by fixing the cut of date for making the representation as 23.9.2011. However the petitioners made representation after lapse of one year i.e., 1.12.12 and, therefore, the same was not considered. However, it is fairly conceded that the representation will be considered in accordance with law by passing appropriate orders.

6. Heard the contentions advanced by either side and perused the materials available on record.

7. In view of the limited relief sought for, this Court, without going into the merits of the issue, directs the the 1st respondent to consider the petitioners representation dated 1.12.12, in accordance with law and pass orders thereon within a period of 3 months from the date of receipt of copy of this order.

8. With the above direction, these writ petitions are disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Manager -HR
Bharat Heavy Electrical Ltd,
(A Government of India Undertaking)
Boiler Auxiliaries Plant,
(HR-RX RMX TDX & GAX)
Ranipet 6322 406
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Ranipettai, Vellore District.
5. The Convener and District Revenue Officer,
Screening Committee Collectorate,
Vellore-632 002.

+3cc to M/s. Fox Mandal & Associates, Advocate,
S.R.No.29161, 29162, 29163
+1cc to the Government Pleader, S.R.No.29252

W.P. NOS.18431 to 18433 OF 2013

MP(CO)
RV(06/11/2020)