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W.P.No.3353 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2022

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBRAMANIAN

W.P. No.3353 of 2022
and WMP.No.3468 of 2022

M/s.Ananthakumar & Co.,
Rep by its Managing Partner
A.Kalaiselvi
No.2, 1/4th Street, Arul Jothi Nagar
Kattukollai, Vadalur (PO)
Kurinjipadi (Tk)
Cuddalore District - 607 303.

... Petitioner

Vs

1.The Chief General Manager
Unit Head, Mines-IA
Neyveli Lignite Corporation India Ltd.,
Neyveli - 607 807.

2.The General Manager
Operations, Mines-IA
Neyveli Lignite Corporation India Ltd.,
Neyveli - 607 807.

3.The Chief General Manager
LA-R&R Department
Neyveli Lignite Corporation India Ltd.,
Neyveli - 607 807.

... Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents to approve the list of PAP's submitted by the petitioner by his letter dated 06.01.2021 to enable the petitioner to complete work pursuant to Agt.No.MIA/NAMC/PRD/A009/90600871/AGT12/21-22, dated 01.02.2022 and consequently direct them to follow the terms of the Tender Special Conditions or any other or direction as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.M.Vijay Anand

For Respondents : Mr.N.Nithianandam
Standing Counsel for NLC

ORDER

Though the petitioner seeks a direction to the respondents to approve the list of Project Affected Persons [PAPs] submitted by it along with its letter dated 06.10.2021, Mr.M.Vijay Anand, learned counsel appearing for the petitioner would submit that he would employ the Project Affected Persons, if a list of such persons is provided by the respondent-Corporation.

2.Mr.N.Nithianantham, learned Standing Counsel appearing for the



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respondent-Corporation would submit that the list of Project Affected Persons have already been given to the petitioner and the petitioner disputes the correctness of the same. It is further submitted that the respondent-Corporation has personally approached those 32 Project Affected Persons and has obtained willingness from 22 persons to work under the respondent-Corporation in the subject project, and this was informed to the petitioner too.

3. In my considered opinion, the petitioner cannot dispute the correctness of the list given by the Corporation. It appears that the list of contract employees / PAPs are the names recommended by the respondent-Corporation to the petitioner. Therefore, the petitioner cannot dispute the list provided by the respondent-Corporation and seek approval of his own list. Thus, the Mandamus as prayed for cannot be issued.

4. Recording the same, the writ petition is closed. It is open to the petitioner to employ those 22 persons whose names were recommended by the Corporation and who had even extended their willingness to join the



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contractual employment under the respondent-Corporation. No costs.

Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Speaking order / Non-speaking order
ds



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R.SUBRAMANIAN. J.,

ds

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