



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 21.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.NO.16342 OF 2018

AND

W.M.P.NO.19499 OF 2018

1. K.Velan
2. M.Chellapandian
3. S.Deepak Kanna
4. A.Nagaraj
5. J.Karthikeyan
6. S.Nagalakshmi
7. R.Ramesh
8. T.Selvaraj
9. P.Thiyagarajan
10. J.Sureshkumar
11. G.Velu
12. S.Palraj
13. P.Saravanan
14. S.Bhavanishankar
15. S.Pushparaj
16. S.Sathyaseelan
17. S.Jamunabai
18. G.Mohankumar
19. S.Jeyakanthan
20. N.P.Karthick
21. G.Jerinkumar
22. K.suganya
23. K.Vijayakumar
24. K.Soundarajan
25. T.Manickam
26. R.Natarajan
27. A.Johnson
28. S.Aravindan
29. M.Balaprasanth
30. M.Subha
31. K.Durai
32. G.Suganthi Sheela
33. K.Mohanraj
34. A.Poongodi
35. J.Naresh Krishna
36. N.Sudalaiyandi

...Petitioners

Vs



WEB COPY

1. The Chairman,
TANGEDCO,
N.P.K.K.R. Maligai,
Anna Salai, Chennai - 600 002.
2. The Chief Engineer,
North Madras Thermal
Power Project,
North Chennai, Chennai - 57.
3. The Chief Engineer/Personnel,
TANGEDCO,
Tamilnadu Generation of Electricity Distribution Corporation
N.P.K.K.R. Maligai,
Anna Salai, Chennai - 600 002.
4. The District Collector,
Office of the Collectorate,
Thiruthani Main Road,
Thiruvallore District,
Thiruvallore - 602 001. ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent connected with proceeding in Lr.No.Tha.Po./Va.Se.Mi.Ni/Me.Po/Ka.Pa./U.Se.Po./Ni.Kai./E.Po/Ko.W.P.No.11869/2006/No.991/15, dated 28.09.2015, quash the same and consequently direct the respondents 1 and 2 to provide employment to the eligible persons from the petitioner's family, whose cultivable lands have been acquired by the M/s.VGP Wonder World and the same lands have been acquired by North Chennai Thermal Power Project from Ennore Village in pursuance B.P.(FB).No.3 dated 25.10.1990 as recommended by the 4th respondent in his proceedings dated 20.06.1999, with all attendant and consequential benefits.

For Petitioners	: Mr.P.S.Dinesh Kumar for Mr.K.Gajendran
For R1 & 2	: Mr.Anand Gopalan for M/s.T.S.Gopalan & Co.
For R4	: Mr.Veda Bagath Singh, Special Government Pleader
For R3	: No Appearance



ORDER

Admittedly, the petitioners herein were not the owners of the land, when the lands were acquired by the Government for utilization by the Electricity Board. The Government in G.O.Ms.No.656, Labour and Employment Department, dated 29.06.1978, which came to be adopted by the respondent-Board in B.P.(FB) No.3, dated 25.10.1990, extends compassionate appointment to one person in a family whose lands have been acquired.

2. In the instant case, the petitioners themselves admit that they have sold the lands to M/s.VGP Wonder World, which is a private person and thereafter, the Government had acquired the lands from M/s.VGP Wonder World. While that being so, the benefits under the proceedings dated 25.10.1990 cannot be extended to the petitioners, who were not the land owners.

3. At this juncture, the learned counsel appearing for the first and second respondents have also pointed out to their proceedings dated 24.02.2009, wherein the request of the petitioners have already been rejected on the same ground that they were not the owners of the lands when it was acquired and the petitioners herein have not challenged the rejection order. As such, the writ petition itself may not be maintainable.

4. In the light of the above discussion, I do not find any merits in the present writ petition. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Chairman,
TANGEDCO,
N.P.K.K.R. Maligai,
Anna Salai, Chennai - 600 002.



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2. The Chief Engineer,
North Madras Thermal
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North Chennai, Chennai - 57.

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TANGEDCO,
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N.P.K.K.R. Maligai,
Anna Salai, Chennai - 600 002.

4. The District Collector,
Office of the Collectorate,
Thiruthani Main Road,
Thiruvallore District,
Thiruvallore - 602 001.

+1cc to Mr.P.S.Dinesh Kumar, Advocate, S.R.No.4195
+1cc to M/s.T.S.Gopalan & Co, Advocate, S.R.No.3743

W.P.No.16342 of 2018
and
W.M.P.No.19499 of 2018

MT (CO)
PM/08/02/2022