



W.P.No.21421 of 20196

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21421 of 2019

P.R.Nishanth

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai – 2.
2. The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai – 2.
3. The Chief Engineer,
North Chennai Thermal Power Station,
Chennai – 120.
4. The Superintendent Engineer (O&M),
North Chennai Thermal Power Station,
Chennai – 120.
5. The District Revenue Officer,
Thiruvallur District,
Thiruvallur.

... Respondents



W.P.No.21421 of 20196

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned government order passed by the third respondent in No.169, dated 13.02.2018 and quash the same and consequently direct the respondents to provide suitable employment to the petitioner in the respondent's board.

For Petitioner : M/s.T.Kalaivani
For Respondents :
For R1 to R4 : Mr.Haroon Al Rasheed
for M/s.T.S.Gopalan & Co
For R5 : Mr.T.Sampathkumar
Government Advocate

ORDER

The order of rejection, rejecting the claim of the writ petitioner to provide appointment under the land losers priority quota, is under challenge in the present writ petition.

2. The petitioner states that the land belongs to his family was acquired for developing North Chennai Thermal Power Station. The acquisition was made during the year 1990, and the petitioner submitted an application in the year 2013, after lapse of about 23 years from the acquisition of the land belonging to their family.



W.P.No.21421 of 20196

WEB COPY

3. The application submitted by the petitioner after 23 years from the acquisition was considered by the competent authorities and it was rejected mainly on the ground that the father of the writ petitioner who was the land owner, from whom the lands were acquired, himself was an employee in North Chennai Thermal Power Station and therefore, one more appointment to the same family cannot be granted and further it cannot be construed, as if the family was depending on the land which was acquired, which is the condition stipulated for priority appointments.

4. In terms of the Government Order, the scheme to provide employment was framed to provide employment assistance and sustenance to families who were affected due to the land acquisition proceedings, if they do not have any other source of livelihood were dependent on the land for their livelihood. In the present case, the land loser, himself was an employee in the North Chennai Thermal Power Station and therefore, his son is not eligible to avail the benefit of priority quota under the land losers category.



W.P.No.21421 of 20196

WEB COPY

5. That apart, the petitioner submitted an application after a lapse of 23 years from the year of acquisition. The petitioner's father was already an employee in the North Chennai Thermal Power Station. This being the factum, at this length of time, the claim of the writ petitioner cannot be considered. This Court do not find any infirmity in respect of the reasons stated in the order impugned. Accordingly, the writ petition stands dismissed. No costs.

02.12.2022

Index: Yes/No
Speaking order/Non-speaking order
rgm/mrn



W.P.No.21421 of 20196

To

WEB COPY

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai – 2.
2. The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai – 2.
3. The Chief Engineer,
North Chennai Thermal Power Station,
Chennai – 120.
4. The Superintendent Engineer (O&M),
North Chennai Thermal Power Station,
Chennai – 120.
5. The District Revenue Officer,
Thiruvallur District,
Thiruvallur.



WEB COPY



W.P.No.21421 of 20196

S.M.SUBRAMANIAM, J.

rgm/mrn

W.P.No.21421 of 2019

02.12.2022