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W.P. No.30396 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.30396 of 2022

K. Devi Kumari

... 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 Superintending Engineer (O & M),
North Chennai Thermal Power Station,
Chennai – 120.

5. The District Revenue Officer,
Thiruvallur District,
Thiruvallur.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to provide suitable employment assistance to the petitioner, as per B.P. Per. (FB)



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No.3, Administrative Branch dated 25.01.1990, in the respondent's board, on the basis of the proposal recommended by the 3rd respondent vide Letter No.Th.Po/May.Po/Ce.Pa/U.SEy.Po/Va.Ce.A.Mi.Ni/Ko.WACP No.77/1991/2019 dated 26.12.2019.

For petitioner : Mr.S.N. Ravichandran
For respondents : Mr.Venkatesh Prasad A.P.
For M/s.T.S. Gopalan & Co.

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.A.P. Venkatesh Prasad, learned Standing counsel accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to provide suitable employment to the petitioner as per B.P. Per. (FB) No.3, Administrative Branch, dated 25.01.1990 of the respondent Board based on the petitioner's representation.

4. According to the petitioner, she is entitled for employment with the respondent Board as per B.P. Per. (FB) No.3, Administrative Branch, dated 25.01.1990. According to the petitioner, the 3rd respondent has



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already recommended the case of the petitioner to the 2nd respondent by Proceedings dated 26.12.2019. However, according to the petitioner, till date, no final orders have been passed with regard to the petitioner's request. The petitioner has filed the Board Proceedings in B.P. Per. (FB) No.3, Administrative Branch, dated 25.01.1990, issued by the respondents, based on which the petitioner seeks for employment. The recommendation made by the 3rd respondent to the 2nd respondent, dated 26.12.2019 has also been enclosed as a document along with this writ petition.

5. The learned Standing counsel appearing for the respondents would submit that the petitioner is not entitled for employment since the lands were acquired from the petitioner's family in the year 2004 itself and therefore on the ground of laches, the petitioner's representation seeking for employment is not maintainable. The same is disputed by the learned counsel for the petitioner, who would reiterate that the petitioner is eligible for employment as per B.P. Per. (FB) No.3, Administrative Branch, dated 25.01.1990.

6. The learned Standing counsel for the respondents would submit that the Board Proceedings, which the petitioner relies upon has been superceded by a fresh Board Proceedings, dated 11.07.2018.



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7. No prejudice would be caused to any of the parties, if the petitioner's representation seeking for employment in the respondent Board is considered on merits and in accordance with law.

8. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on the proposal with regard to the petitioner's employment recommended by the 3rd respondent dated 26.12.2019 on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

9. With the aforesaid directions, this writ petition is disposed of.
No costs.

15.11.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
1. The Chairman,
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Chennai – 2.

2. The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation Ltd.,



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ABDUL QUDDHOSE, J.

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