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W.P. No.30948 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.30948 of 2022

N. Syed Nazar @ Dadu

...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 Collector,
Thiruvallur District.

6. The District Revenue Officer,
Thiruvallur District,
Thiruvallur.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to provide suitable employment assistance to the petitioner, as per B.P. Per. (FB) No.3, Administrative Branch dated 25.01.1990, in the respondent's board, on the basis of the proposal recommended by the Assistance Commissioner (kalal) and Revenue Divisional Officer, Ponneri, vide Na.Ka. No.4393/2020/A3, dated 13.04.2022, by considering the representation dated 6.10.2018.

For petitioner : Mr. S.N. Ravichandran
For respondents : Ms. Keerthana, S.B.
For M/s.T.S. Gopalan & Co. for R1
Mr.N. Naveen Kumar,
Government Advocate for R5 and R6

ORDER

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

2. Ms.S.B.Keerthana, learned counsel accepts notice for the 1st respondent and Mr.N. Naveen Kumar, learned Government Advocate accepts notice for the 5th and 6th respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to provide suitable employment to the petitioner as per B.P. Per.(FB) No.3, Administrative Branch dated 25.01.1990 in the respondents Board, within a time frame to be fixed by this Court.



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4. The petitioner claims that he has given a representation on 06.10.2018 seeking for employment as per B.P. Per. (FB) No.3, Administrative Branch dated 25.01.1990 of the respondents Board. The petitioner also claims that his representation has already been forwarded and the same is now pending with the 5th respondent, who has to forward it to the 1st respondent for consideration on merits and in accordance with law.

5. The petitioner claims that his family members lands were acquired in the year 1989 and as per the aforementioned Board Proceedings of the 1st respondent, he is entitled for employment in TANGEDCO. In such circumstances, he has given a representation on 06.10.2018 requesting for employment. Since the representation has not been considered, till date, he has filed this writ petition.

6. Heard Mr.S.N. Ravichandran, learned counsel for the petitioner, Ms.S.B.Keerthana, learned counsel for the respondents 1 to 4 and Mr.N.Naveen Kumar, learned Government Advocate for the 5th and 6th respondents.

7. At the outset, the learned counsel for the respondents would submit that employment will have to be sought for within three years from the date of the acquisition of the lands. She would submit that the



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subject lands were acquired in the year 1989 and therefore, the question of considering the petitioner's representation seeking for employment based on the Board Proceedings viz., B.P. Per. (FB) No.3, Administrative Branch dated 25.01.1990 will not arise at this stage.

8. However, the learned counsel for the petitioner would reiterate that in similar circumstances, similarly placed persons representations were directed to be considered by the respondents on merits and in accordance with law by orders of this Court.

9. No prejudice would be caused to the respondents, if the petitioner's representation seeking for employment based on the Board Proceedings B.P. Per. (FB) No.3, Administrative Branch dated 25.01.1990 of the respondents Board is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

10. For the foregoing reasons, this Court directs the 1st and 2nd respondents to pass final orders on the petitioner's representation as stated supra seeking for employment based on the Board proceedings B.P. Per. (FB) No.3, Administrative Branch dated 25.01.1990 of the respondents / Board, on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order.



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11. With the aforesaid directions, this writ petition stands disposed

of. No costs.

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

To
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6. The District Revenue Officer,
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Thiruvallur.

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