



WEB COPY



WP No.26962 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18-10-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.26962 of 2017

M.Anandhi

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Petitioner

VS.

- 1.The Tamil Nadu Electricity Board
Represented by its Chairman,
No.800, Anna Salai,
Chennai – 600 002.
- 2.The Secretary,
Government of Tamil Nadu,
Department of Revenue,
Fort St. George,
Chennai – 600 009.
- 3.The Chief Engineer,
North Chennai Thermal Power Project,
Ennore,
Chennai – 600 057.



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4.The District Collector,
Thiruvallur District,
Thiruvallur.

5.The Revenue Divisional Officer,
Ponneri Taluk,
Thiruvallur District.

6.The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

7.The Special Tahsildar,
(Land Acquisition),
North Chennai Thermal Power Project,
Ponneri, Ponneri Taluk,
Thiruvallur District.

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Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to issue an order of employment to the petitioner as a Rehabilitation Measure for land losers for the Ennore Thermal Power Project.

For Petitioner : Ms.T.K.S.Bharathy Anandraj

For Respondents-1 and 3 : Mr.Anand Gopalan for
M/s.T.S.Gopalan and Co.



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For Respondents-2 and 4 to 7 : Mr.D.Gopal,
Government Advocate.

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ORDER

The relief sought for in the present writ petition is to direct the respondent to issue an order of appointment to the writ petitioner under 'Landlosers Category' in Ennore Thermal Power Project.

2. The land belongs to the forefathers of the writ petitioner was acquired by the Government of Tamil Nadu for developing Thermal Power Project and accordingly, the land belongs to the forefathers of the writ petitioner was acquired during the year 1978.

3. At the time of acquisition, the Government has introduced a Scheme to provide appointment to the land losers and accordingly, the eligible members of the family of the land losers were provided with appointments and the Scheme was implemented during the relevant point of time.



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4. The petitioner was not even born at the time of acquiring the land and now after a lapse of about 44 years from the year of acquisition of the land, the petitioner has filed the present writ petition seeking appointment under the land losers category.

5. The learned counsel for the respondents 1 and 3 and the learned Government Advocate, appearing on behalf of the respondents 2, 4 to 7 have made a submission that the petitioner is not eligible to avail the benefit of priority category since she is not falling under the definition of 'family' as per the Government policy in the matter of providing appointment.

6. Therefore, the case of the writ petitioner cannot be considered. That apart, now after a lapse of more than four decades from the year of acquisition of the land, the appointment, as such, sought for in the present writ petition cannot be granted.



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7. Accordingly, the writ petition stands dismissed. However,

there shall be no order as to costs.

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Index : Yes/No.

Internet : Yes/No.

Speaking Order/Non-Speaking Order.

Svn

To

- 1.The Chairman,,
Tamil Nadu Electricity Board
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Chennai – 600 002.
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S.M.SUBRAMANIAM, J.

Svn

- 5.The Revenue Divisional Officer,
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