

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.20079 OF 2014

AND

M.P.NO.1 OF 2014

B.Radhakrishnan

... Petitioner

.Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai,
Chennai - 600 002.
3. The District Collector,
Thiruvallur District,
Thiruvallur.
4. The Special Tahsildar [Land Acquisition],
North Madras Thermal Power Project,
No.4, Jone Road, Saidapet,
Chennai - 600 015.
5. The Chief Engineer,
North Madras Thermal Power Project,
Ennore, Chennai.
6. The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

... Respondents

PRAYER:-

Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for

the records relating to the proceedings in No.022944/109/G64/G642/2013-7 dated 21.02.2013 passed in respect of the petitioner herein passed by the second respondent herein and quash the same and direct the respondents to implement their proceedings bearing No.Permanent B.P.(FB) No.3 [Administration branch] dated 25.01.1990 and to implement the order passed by this Court in W.P.Nos.6664 and 6665 of 2006 dated 07.02.2012 and to give employment to any relative nominated by the petitioner herein from whom the lands have been acquired for North Madras Thermal Power Project.

For Petitioner : Mr.G.Muthukrishnan

For Respondents

R1, R3 & R6 : M/s.R.L.Karthika
Government Advocate

R2, R4 & R5 : Mr.Anand Gopalan
For M/s.T.S.Gopalan & Co.

O R D E R

The order of rejection rejecting the claim of the writ petitioner for priority appointment under the land losers category is under challenge in the present writ petition.

2. The writ petitioner states that in the year 1987, the Government of Tamil Nadu acquired their land for the purpose of constructing housing board quarters for the employees of North Madras Thermal Power Project. The Tamil Nadu Electricity Board passed an order granting priority in appointments in respect of the land losers. The petitioner submitted an application to provide appointment under the priority category of the land losers and the said application was rejected. Thus the petitioner is constrained to move the present writ petition.

3. The learned Standing Counsel appearing for the respondent Board made a submission that the petitioner is not eligible for appointment under the priority category in view of the fact that the terms and conditions stipulates that the land owner, spouse, son and daughter alone are eligible for securing appointment on priority category. However, the petitioner has not established that he is falling within the said category and therefore, he is not entitled to claim priority on appointment.

4. Admittedly, the petitioner is not falling under the categories contemplated in the Board proceedings for securing appointment on priority category. That apart, the land was acquired in the year 1991 and almost 31 years have lapsed, at this length of time the claim of the writ petitioner for appointment cannot be granted. Further, even at the time of filing the writ petition, the petitioner was aged about 62 years and now he would be around 70 years and his claim to provide employment to some of his relative at this length of time cannot be considered.

5. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Secretary to Government,
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Chennai - 600 009.
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6. The Tahsildar,
Ponneri Taluk,
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+1cc to M/s.T.S.Gopalan & Co., Advocate, S.R.No.39084
+1cc to the Government Pleader, S.R.No.39615

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NK(CO)
PBS/11/07/2022