



WEB COPY



W.P. Nos.12489, 12490 & 12491 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2023

CORAM:

THE HON'BLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P. Nos.12489, 12490 & 12491 of 2012
and M.P.Nos.1 +1 + 1 of 2012

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|-------------------|---------------------------------|
| 1. V.Dayalan | .. Petitioner in WP No.12489/12 |
| 2. B.Poonkodi | .. Petitioner in WP No.12490/12 |
| 3. T.Suryaprakash | .. Petitioner in WP No.12491/12 |

VS.

1. The Government of Tamilnadu
Industries Department,
Fort St. George,
Chennai – 600 009.

2. The General Manager,
BHEL/BA7, Ranipet,
Vellore District.

3. The Collector,
Vellore,
Vellore District.

4. Convener and District Revenue Officer,
Screening Committee,
Vellore District, Vellore.

5. Revenue Divisional Officer,
Ranipet,
Vellore District.

.. Respondents in all WPs.



W.P. Nos.12489, 12490 & 12491 of 2012

Prayer in WP No.12489 of 2012: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in No.in Rc.G3/42285/2011 dated 09.12.2011 passed by the 4th respondent and to quash the same and consequently direct the 5th respondent to appoint the petitioner unskilled or for any other suitable post in BHEL for which the interview is called for.

Prayer in WP No.12490 of 2012: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in No.in Rc.G3/42156/2011 dated 09.12.2011 passed by the 4th respondent and to quash the same and consequently direct the 5th respondent to appoint the petitioner unskilled or for any other suitable post in BHEL for which the interview is called for.

Prayer in WP No.12491 of 2012: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in No.in Rc.G3/42279/2011 dated 09.12.2011 passed by the 4th respondent and to quash the same and consequently direct the 5th respondent to appoint the petitioner unskilled or for any other suitable post in BHEL for which the interview is called for.

For Petitioners : Mr.V.P.Rajendran
in all WPs.

For Respondents : Mr.Dr.T.Seenivasan (for R1, 3 to 5)
in all WPs. Special Govt. Pleader
Mr.John Zachariah (for R2)
for M/s.Fox Mandal & Asso.

COMMON ORDER

The learned counsel for the petitioners, the learned Special Government Pleader appearing for respondents 1, 3 to 5 and the learned counsel for the 2nd respondent are heard.



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WEB COPY 2. The 2nd respondent-BHEL has filed a counter and the official respondents have filed a common counter affidavit.

3. The writ petitions are filed seeking the relief of employment in BHEL, Ranipet, the 2nd respondent under 'land loser category' and the Government has evolved a policy to give employment to one person in the family of the displaced land owners.

4. In this connection, in respect of Mr.V.Dayalan, petitioner in WP No.12489 of 2012, after due enquiry, the Screening Committee rejected the claim, as the employment in respect of the said land was already provided to Mr.LV.Dhanasekaran (Staff No.4167767) in the 2nd respondent Company at Ranipet and he is in employment of the 2nd respondent company since 13.12.1986.

5. In respect of Mrs.Poonkodi, petitioner in WP No.12490 of 2012, after due enquiry, the Screening Committee rejected the claim, as the petitioner's father-in-law Mr.Narayanasamy was not the Land Awardee. Further, employment in respect of the said land bearing Survey No.126/9



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has already been provided in the 2nd respondent company to the actual Awardee's son Mr.L.V.Mani (Staff No.4165113).

6. In respect of Mr.T.Suryaprakash, petitioner in WP No.12491 of 2012, as per the said Award No.5/82, one Mr.Govindaraj was the Awardee in respect of the said S.No.184/7. No reference was made by the Government regarding ownership or compensation. Employment was provided to Mr.G.Ramachandran (Staff No.4153472), son of the land awardee, Mr.Govindaraj. Mr.G.Ramachandran (Staff No.4153472) has been employed in BHEL since 24.05.1983. Having given employment to the land awardee's son, the 2nd respondent has fulfilled the Government Order. Therefore, after due enquiry only, the Screening Committee has rejected the petitioner's claim.

7. On the above factual background, I find that one person in the family belonging to the land loser viz., in whose favour the award is passed in the Land Acquisition Proceedings, has already been accommodated.



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8. In such circumstances, the Division Bench of this Court has held that there cannot be duplication of benefit and identical writ petitions filed by the following 17 persons have been dismissed by the Hon'ble Division Bench of this Court.

<i>Sl.No.</i>	<i>Writ Petition</i>	<i>Petitioner</i>	<i>Date of Dismissal</i>
1	24238/2012	Joice Nirmala	05.03.2013
2	22132/2012	M.Durai	04.03.2013
3	22134/2012	Krishnamoorthy	04.03.2013
4	10476/2012	Dhakshinamurthy	04.03.2013
5	10477/2012	L.K.Gokulan	04.03.2013
6	10478/2012	S.Suresh Kumar	04.03.2013
7	10479/2012	L.Parasuraman	04.03.2013
8	10480/2012	L.Poongavanam	04.03.2013
9	10481/2012	M.Uma	04.03.2013
10	10482/2012	K.Dhanapal	04.03.2013
11	10483/2012	P.Uma	04.03.2013
12	10484/2012	A.Saravanan	04.03.2013
13	3226/2013	L.Manikandan	28.02.2013
14	3229/2013	G.Kotteswari	28.02.2013
15	3232/2013	M.Nalini	28.02.2013
16	3233/2013	Sathi Neela	28.02.2013
17	21027/2013	S.Parthiban	08.08.2012

9. Hence, I find no merits in these writ petitions and the same are dismissed. No Costs. Consequently, the connected Miscellaneous Petitions are closed.

24.07.2023

Index: Yes/No
Speaking/Non-Speaking Order
Neutral Citation: Yes/No.
ars

RMT.TEEKAA RAMAN, J.



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