



WEB COPY



W.P.Nos.13771 to 13781 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.13771 to 13781 of 2012 and
MP.Nos.1 of 2012(1 Nos.)

WP.No.13771 of 2012

S.Lakshmi Prabha

... Petitioner

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

PRAYER: Writ Petition is filed under Article 226 of Constitution of



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India praying to issue Writ of Certiorarified Mandamus calling for the records pertaining to the proceedings in No. in Rc.G3/42219/2011 dated 09.12.2011 passed by the fourth respondent and to quash the same and consequently direct the fifth respondent to appoint the petitioner for any other suitable post in BHEL for which the interview was called for.

For Petitioner
in all WP's : Mr.V.P.Rajendran

For Respondents
in all WP's

For R1,3,to 5 : Mr.L.S.M.Hasan Fizal,
Additional Government Pleader

For R2 : Mr.John Zachariah
for M/s.Fox Mandal and Associates

COMMON ORDER

All the writ petitions have been filed challenging the proceedings dated 09.12.2011 passed by the fourth respondent, thereby rejected the claim for employment of the petitioners.

2. Heard, the learned counsel appearing on either side.



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3. On perusal of records, in order to establish Boiler Auxiliary

Plant at Ranipet, the first and second respondents acquired 1389 acres of land in and around the Villages of Narasinghapuram, Mukundarayapuram, Sikkarajapuram and Vadakkai in Ranipet Taluk, Vellore District in the year 1980 vide GO.Ms.No.1218 dated 26.08.1980. The said lands were acquired by them by GO.Ms.No.87 dated 27.01.1981. As per the Government Order, the Government had promised job guarantee, atleast for one member from each family of the land losers under the above project. The petitioners appeared before the Screening Committee and their claims were rejected. The reasons provided by the Screening Committee for rejection are as follows:

W.P. No. 13771/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the lands bearing Survey No. 124/10, 124/12, 124/13 124/15, 124/7, 124/9. 126/7, 126/8, 126/9, 126/10, 126/1, 126/12 and 126/13 Mukundarayapuram Village under Award No. 5/82. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 17.11.2011. It is denied that the Petitioner appeared before the Screening Committee on 16.11.2011. The Petitioner appeared before the Screening Committee on 17.11.2011. After due enquiry, the Screening Committee rejected the



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claim of the Petitioner as employment in respect of the said lands was already provided to Mr. LV Mani (Staff No. 4165101), son of the land awardee Mr. Venkatasami Reddy in the 2nd Respondent Company at Ranipet. Mr. LV Mani (Staff No. 4165101) has been in the employment of the 2nd Respondent Company since 26/04/1985. The Petitioner is the daughter-in-law of the land awardee and wife of Mr. LV Sekar, another son of the land awardee.

W.P. No. 13772/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the land bearing Survey No. 180/1, Mukundarayapuram Village, Walajah Taluk under Award No. 4/82 dated 24.01.1982. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 17.11.2011. The Petitioner appeared before the Screening Committee on 17.11.2011 and not 16.11.2011 as contended by the Petitioner. After due enquiry, the Screening Committee rejected the claim of the Petitioner as employment in respect of the said lands had already been provided to Mr. S. Munusamy (Staff No. 4152824) in the 2nd Respondent Company at Ranipet. Mr. S. Munusamy (Staff No. 4152824) has been in the employment of the ad Respondent Company since 13/02/1983. Mr. S. Munusamy (Staff No. 4152824) is the son of the land awardee, Chinnakolandai.



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W.P. No. 13773/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the land bearing Survey No. 184/7. Mukundarayapuram Village, Walajah Taluk under Award No. 5/82 dt. 31.03.1982. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 18.11.2011 and not 16.11.2011 as claimed by the Petitioner. After due enquiry, the Screening Committee rejected the claim of the Petitioner. 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 duly fulfilled the GO.Ms. This alone is a ground for rejecting the Writ Petition as discussed subsequently in this Affidavit.

Further, the land awardee, Mr. Govindaraj, is the grandfather of the Petitioner and the Petitioner's father, Mr. Thulasidharan, is another son of the land awardee. In 1987, the Petitioner's father and another son of Mr. Govindaraj had filed Original Suit No. 80/1987 for declaration of title against the land award, Mr. Govindaraj and Mr. G. Ramachandran, who is employed in BHEL, for declaration of title in the said land, which was decreed. LAOP 152/87 was raised by the sons of Mr. Govindaraj



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and their legal heirs regarding their entitlement to share of compensation and was not a referral by the Government regarding the ownership for the acquisition of land. Considering these aspects, the Screening Committee rejected the Petitioner's application as the Suit and the LAOP filed by the awardee and his sons were clearly motivated proceedings meant to defraud the 2nd Respondent and obtain employment, despite the fact that the 2nd Respondent had complied with the condition in the [G.O.Ms.](#)

W.P. No. 13374/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the land bearing Survey No. 325/5 Seekarajapuram Village under Award No. 8/83 dated 15.09.1983. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 17.11.2011. After due enquiry, the Screening Committee rejected the claim of the Petitioner as employment was already provided to the Awardee, Mr. L. Gunasekaran, (Staff No. 4152379), for the land acquired. Mr. L. Gunasekaran (Staff No. 4152379) was provided employment in respect of the lands belonging to his father, Mr. Loganathan. Since employment has already been provided to one member in each family of the land awardees, the 2nd Respondent has duly complied with the [G.O.Ms.](#) A similar writ petition (WP No. 25238/2012, Joice Nirmala v. Government of Tamil Nadu &



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Ors.) was dismissed by a single judge of this Hon'ble Court on 05.03.2013 on the same ground.

W.P. No. 13375/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the lands bearing Survey No. 187/6, in Village under Award No. 1/81 dated 26.12.1981. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 16.11.2011. After due enquiry, the Screening Committee rejected the claim of the Petitioner as employment was already provided to Mr. LV Settu (Staff No. 4159047), for the lands acquired from Mr. Velu Reddi, father of Mr. LV Settu (Staff No. 4159047) and grandfather of the Petitioner. Mr. LV Settu was in the employment of the 2nd Respondent Company from 17.03.1984 till his death on 09.03.2009.

W.P. No. 13376/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the land bearing Survey No. 82 in Mukundarayapuram Village under Award No. 2/82 dated 26.02.1982. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 16.11.2011. After due enquiry, the Screening Committee rejected the claim of the Petitioner as employment was already provided to Mr. P. Shanmugham (Staff No. 4159926), for



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the lands acquired from the land awardee, Mrs. Rajammal. Mr. P. Shanmugham (Staff No. 4159926), the son of the land awardee was in the employment of the 2nd Respondent Company from 18.04.1984 till his death on 22.03.1992.

W.P. No. 13377/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the land bearing Survey No. 152/5, in Mukundarayapuram Village under Award No. 1/83 dated 31.03.1983. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 16.11.2011. After due enquiry, the Screening Committee rejected the claim of the Petitioner as employment in respect of the said lands was already provided to Mr. LR Gopalasamy (Staff No. 4152530) who is the son of the land awardee, Mrs. Kannammal. The petitioner is the grand daughter of the land awardee, Mrs. Kannammal. Mr. LR Gopalasamy (Staff No. 4152530) has been in employment of the 2nd Respondent since 17/12/1982.

W.P. No. 13378/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the lands bearing Survey No. 127/2 in Mukundarayapuram Village, Walajah Taluk under Award No. 5/82 dated 31.03.1982. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 16.11.2011.



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After due enquiry, the Screening Committee rejected the claim of the Petitioner as employment was already provided to Mr. M. Parasuraman (Staff No. 4152476), for the lands acquired from Munusamy Reddy (@Jittu), father of Mr. M. Parasuraman (Staff No. 4152476) and the Petitioner. Mr. M. Parasuraman (Staff No. 4152476) was in the employment of the 2nd Respondent Company from 17.12.1982 till his death on 27.03.1993.

W.P. No. 13379/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the lands bearing Survey No. 92/1, 93/2 and 95/3. Lalapet Village, Walajah Taluk acquired under Award No. 12/82 dt. 08.03.1982. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 17.11.2011. The Petitioner appeared before the Screening Committee on the said date and not on 16.11.2011 as contended by the Petitioner. After due enquiry, the Screening Committee rejected the claim of the Petitioner on the ground that employment was already provided to Mr. M. Gangadharan (Staff No. 4153596), son of the land awardee, Mr. Murugesu Reddy. Mr. M. Gangadharan (Staff No. 4153596) was in the employment of the 2nd Respondent company from 24.05.1983 till his superannuation on 24.04.2009.



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W.P. No. 13380/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the land bearing Survey No. 187/8, Mukundarayapuram Village, Walajah Taluk acquired under Award No. 1/81 dt. 26.12.1981. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 17.11.2011. Petitioner appeared before the Screening Committee on 17.11.2011 and not 16.11.2011 as claimed. After due enquiry, the Screening Committee rejected the claim of the Petitioner on the ground that the Petitioner could not establish that she belonged to the family of the land awardee. Since there was no link between the petitioner and the land awardee, her application was rejected.

W.P. No. 13381/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the lands bearing Survey No. 184/2, 184/3 and 184/7, Mukundarayapuram Village, Walajah Taluk acquired under Award No. 5/82 dt. 31.03.1982. Based on the application submitted, the Petitioner was called to appear before the Screening Committee on 18.11.2011. After due enquiry, the Screening Committee rejected the claim of the Petitioner on the ground that employment was already provided to Mr. G. Sritharan (Staff No. 4172647) for the lands acquired from him. Mr. G. Sritharan (Staff No. 4172647) was in the



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employment of the a Respondent company from 25.03.1986 till his superannuation on 23.12.2006.

4. Therefore, the petitioners were rightly rejected by the Screening Committee and this Court find no infirmity or illegality in the orders passed by the fourth respondent. Accordingly, all the writ petitions are dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

31.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 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
6. The Government Advocate,
High Court, Madras.

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