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W.P.No.21111 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM:

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

W.P.No.21111 of 2012 and
MP.No.2 of 2012

Palani

... Petitioner

Vs.

- 1.The Convener and District Revenue Officer,
Vellore District
- 2.The Bharat Heavy Electricals Limited (A Government of
India Undertaking), Boiler Auxiliaries Plant,
Rep. By its General Manager,
Ranipet, Vellore District 632 406

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent made in proceedings in RC.G3/42166/2011 dated 09.12.2011 and quash the same and consequently direct the second respondent to consider for suitable employment to the petitioner with effect from the date on which the similarly situated persons are appointed by the second respondent based on the direction issued by this Court in W.A.No.1275/08 dated 29.09.2010

For Petitioner : Mr.N.Umapathi



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For Respondents

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

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

ORDER

This writ petition has been filed to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent made in proceedings in RC.G3/42166/2011 dated 09.12.2011 and quash the same and consequently direct the second respondent to consider for suitable employment to the petitioner with effect from the date on which the similarly situated persons are appointed by the second respondent based on the direction issued by this Court in WA.No.1275/08 dated 29.09.2010

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

3. The case of the petitioner is that for starting Bharat Heavy Electricals Ltd., a project called 'Boiler Auxiliaries Plant' at Ranipet, vast extent of lands owned by several private individuals were acquired



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around the year 1980. At the time of acquisition, they were promised that their one of the family members would be given employment in the said project. The petitioner's land was also acquired. In this regard, a notification was issued by the Screening Committee, which was constituted based on the direction issued by this Court, informing the land losers like the petitioner to appear with necessary records for employment. Though the petitioner appeared before the first respondent on 16.11.2011 and submitted the entire documents including award copy, the application of the petitioner was rejected without giving any reasons by order dated 09.12.2011. Hence, this writ petition has been filed.

4. On perusal of counter filed by the second respondent revealed that the mother of the petitioner i.e. D.Saroja (Staff No.4159055) was already provided employment. This Court, while dismissing a similar writ petition, observed that in the case of land acquisition, the right of employment shall be provided to one member from the deprived family and this right does not extend to provide employment to every member of each family displaced in consequence of



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acquisition of land. In respect of a family losing the land, there can only be one member of the family will be given the employment assistance and they are not eligible for a second employment for the same family.

5. Therefore, this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is 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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To

- 1.The Convener and District Revenue Officer,
Vellore District
- 2.General Manager,
The Bharat Heavy Electricals Limited (A Government of
India Undertaking), Boiler Auxiliaries Plant,
Ranipet, Vellore District 632 406
3. The Government Advocate,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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