



W.P.No.30746 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.30746 of 2012

M.Poongavanammal

... Petitioner

Vs.

- 1.The State of Tamilnadu rep.by
Convener cum District Revenue Officer,
O/o.The District Collector,
Vellore-9
- 2.Bharat Heavy Electricals Limited,
Boiler Auxiliary Plant (BAP)
Rep. By its General Manager – HR,
Ranipet
- 3.The Deputy General Manager – HR,
Bharat Heavy Electricals Limited, BAP,
Ranipet 632 406

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus after calling for the records relating to the order No.Rc.G3/42216/2011 dated 09.12.2011 issued by the first respondent and quash the same as being illegal, arbitrary and unconstitutional and consequently issue a direction to the respondents to consider the request dated 23.08.2012 of the petitioner and provide employment in the second respondent undertaking to an eligible member of the petitioner's family with all attendant service and



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monetary benefits.

For Petitioner : Mr.C.K.Chandrasekhar
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 after calling for the records relating to the order No.Rc.G3/42216/2011 dated 09.12.2011 issued by the first respondent and quash the same as being illegal, arbitrary and unconstitutional and consequently issue a direction to the respondents to consider the request dated 23.08.2012 of the petitioner and provide employment in the second respondent undertaking to an eligible member of the petitioner's family with all attendant service and monetary benefits.

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



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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 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 attended the hearing, by an order dated 09.12.2011, the first respondent / Committee rejected the claim without giving any reasons. Hence, this writ petition has been filed.

4. On perusal of counter filed by the second respondent revealed that the petitioner already filed a writ petition in WP.No.10955 of 2006 claiming employment as land loser for the very same survey No.158/3 in Mukundarayapuram Village of Walaja Taluk and the writ petition was dismissed by order dated 13.05.2008 on the ground that



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employment had already been provided to one, R.Murugesan (Staff No.4152484), the husband of the petitioner for the land acquired and that the Government Order mandated only one employment to be provided per family. The petitioner did not file appeal against the said order. As such, the matter attained finality.

5. Therefore, this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

31.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
lok



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To

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The State of Tamilnadu rep.by
O/o.The District Collector,
Vellore-9
- 2.Bharat Heavy Electricals Limited,
Boiler Auxiliary Plant (BAP)
Rep. By its General Manager – HR,
Ranipet
- 3.The Deputy General Manager – HR,
Bharat Heavy Electricals Limited, BAP,
Ranipet 632 406
4. The Government Advocate,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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