



WEB COPY



W.P.Nos.30799 & 30800 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.30799 & 30800 of 2012

WP.No.30799 of 2012

S.Malathi

... Petitioner

Vs.

1.The Convener and

District Revenue Officer,

Screening Committee constituted for Land Oustees,

BHEL – Ranipet

at Collector Office,

Vellore,

Vellore District

2.The Unit Head,

Bharat Heavy Electricals Ltd.,

BHEL/BAP,

Ranipet,

Vellore District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for records of the first respondent in its proceedings RC.G3/42266/2011 dated 09.12.2011 and quash the same and to direct the respondents to provide suitable employment to the petitioner under the category of displaced land losers.



W.P.Nos.30799 & 30800 of 2012

WEB COPY

For Petitioner : Mr.G.Jeremiah

For Respondents

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

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

WP.No.30800 of 2012

S.Ganesh

... Petitioner

Vs.

1.The Convener and
District Revenue Officer,
Screening Committee constituted for Land Oustees,
BHEL – Ranipet
at Collector Office,
Vellore,
Vellore District

2.The Unit Head,
Bharat Heavy Electricals Ltd.,
BHEL/BAP,
Ranipet,
Vellore District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for records of the first respondent in its proceedings RC.G3/42253/2011 dated 09.12.2011 and quash the same and to direct the respondents to provide suitable employment to the petitioner under the category of displaced land losers.



W.P.Nos.30799 & 30800 of 2012

WEB COPY

For Petitioner : Mr.G.Jeremiah

For Respondents

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

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

COMMON ORDER

These writ petitions have been filed to issue a Writ of Certiorarified Mandamus calling for records of the first respondent in its proceedings RC.G3/42266/2011 & RC.G3/42253/2011 dated 09.12.2011 and quash the same and to direct the respondents to provide suitable employment to the petitioners under the category of displaced land losers.

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

3. The case of the petitioners is that for starting Bharat Heavy Electricals Ltd., a project called 'Boiler Auxiliaries Plant' at Ranipet, vast



W.P.Nos.30799 & 30800 of 2012

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 petitioners' lands were 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 petitioners to appear with necessary records for employment. Though the petitioners appeared before the first respondent on 18.11.2011, their claim was rejected without giving any reasons. According to the petitioners, there is no ownership dispute over their lands.

4. On perusal of counter filed by the second respondent revealed that the applications of the petitioners were rejected on the following grounds:

W.P. No. 30799/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the lands



W.P.Nos.30799 & 30800 of 2012

bearing Survey No. 333/5 in Narasingapuram Village, Walajah Taluk under Award No. 12/83 dated 30.09.1983. 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 as application as there was ownership dispute at the time of land acquisition and no documentary evidence was produced at the time of interview by the Petitioner of the settlement of the said dispute.

W.P. No. 30800/2012

The Petitioner had submitted an application to the Screening Committee claiming employment for the lands bearing Survey No. 334/2 in Narasingapuram Village, Walajah Taluk under Award No. 12/83 dated 30.09.1983. 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 as application as there was ownership dispute at the time of land acquisition and no documentary evidence was produced at the time of interview by the Petitioner of the settlement of the said dispute.



W.P.Nos.30799 & 30800 of 2012

5. Therefore, these writ petitions are liable to be dismissed.

Accordingly, both the writ petitions are dismissed. There shall be no order as to costs.

31.08.2023

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order
lok



W.P.Nos.30799 & 30800 of 2012

WEB COPY

To

1. The Convener and
District Revenue Officer,
Screening Committee constituted for Land Oustees,
BHEL – Ranipet
at Collector Office,
Vellore,
Vellore District
2. The Unit Head,
Bharat Heavy Electricals Ltd.,
BHEL/BAP,
Ranipet,
Vellore District
3. The Government Advocate,
High Court, Madras.



WEB COPY



W.P.Nos.30799 & 30800 of 2012

G.K.ILANTHIRAIYAN, J.

lok

W.P.Nos.30799 & 30800 of 2012

31.08.2023