



W.P.No.33564 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.33564 of 2012

M.Saravana

... Petitioner

Vs.

1.The District Collector,  
Vellore District,  
Collectorate  
Vellore 632 009

2.The Convener and District Revenue Officer,  
Screening Committee,  
Collectorate,  
Vellore 632 009

3.Bharat Heavy Electricals Limited,  
(A Government of India Undertaking)  
Boiler Auxiliaries Plant,  
rep. By The manager – HR  
(HR-RX, RMX, TDC & GAX)  
Ranipet 632 406

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing respondents 1 & 2 to consider the representation of the petitioner dated 21.09.2012 seeking employment to the petitioner in the third respondent company under the category of land loser and forward his name to the third respondent for employment under the category of land losers within the time that may be



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fixed by this Court.

For Petitioner : Mr.P.Mani

For Respondents

For R1 & 2 : Mr.L.S.M.Hasan Fizal,  
Additional Government Pleader

For R3 : Mr.John Zachariah  
for M/s.Fox Mandel Associates

**ORDER**

This writ petition has been filed for direction to respondents 1 & 2 to consider the representation of the petitioner dated 21.09.2012 seeking employment to the petitioner in the third respondent company under the category of land loser and forward his name to the third respondent for employment under the category of land losers.

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 around the year 1980. At the time of acquisition, they were promised that



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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. Since the petitioner and his family members were permanently living at Bangalore, he was not aware of the publication and immediately after knowing the same, he sent a representation dated 21.09.2012 to the first respondent followed by another representation dated 29.01.2012 to the third respondent. However, the petitioner was not called for verification of documents. Hence, this writ petition has been filed.

4. On perusal of counter filed by the third respondent revealed that a similar writ petition was filed by one, A.Sandhiya in WP.No.15180 of 2012 against the respondents seeking employment in the third respondent company even though she failed to submit her application to the Screening Committee as directed by the Hon'ble Division Bench of



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this Court. However, the writ petition was dismissed on 16.08.2012 observing as follows:

*"In my considered opinion, it cannot be a ground to direct the respondents to consider the application which was submitted far beyond the period fixed for the receipt of the applications as directed by the Division Bench of this Court. In my considered opinion, if any such application submitted beyond 23.09.2011 is considered by the "Respondent, then it would only open the flood date. Further, it may be taken as violation of the orders passed by the Division Bench. Thus, I do not find any infirmity in the order of the " Respondent rejecting the claim of the petitioner."*

5. Even in the appeal filed by the said petitioner in WA.No.2330 of 2012 the Hon'ble Division Bench of this Court by order dated 26.11.2012, confirmed the order of the Single Judge and dismissed the Writ Appeal. Thereafter, the said petitioner filed SLP (C) No. 9054/2013 and the same was also dismissed by the Hon'ble Supreme Court of India on 05.08.2013.



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6. Therefore, having failed to apply to the Screening Committee on time, the petitioner is disentitled from seeking any employment. Further, even assuming that the petitioner had submitted an application on 29.01.2012, the same is beyond the cut-off date. As such, this writ petition is liable to be dismissed.

7. 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  
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**G.K.ILANTHIRAIYAN, J.**

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To

- 1.The District Collector,  
Vellore District,  
Collectorate  
Vellore 632 009
- 2.The Convener and District Revenue Officer,  
Screening Committee,  
Collectorate,  
Vellore 632 009
- 3.The manager – HR  
Bharat Heavy Electricals Limited,  
(A Government of India Undertaking)  
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(HR-RX, RMX, TDC & GAX)  
Ranipet 632 406
4. The Government Advocate,  
High Court, Madras.

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