



W.P.No.5472 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.5472 of 2023

Sambasivam

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Energy Department,
Fort St.George,
Chennai – 600 009.
- 2.The Chairman,
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
No.800, Anna Salai,
Chennai – 600 002.
- 3.The chief Engineer (Personal),
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
No.800, Anna Salai,
Chennai – 600 002.
- 4.The Superintending Engineer/Civil
Uppar Ash Dyk Mettur Thermal Power Project,
Tamil Nadu Generation and Distribution Corporation
(TANGEDCO),
Mettur Dam,
Salem District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to provide employment to the petitioner's son namely S.Jeeva under the rehabilitation scheme formulated by the respondents under the land acquisition category as per the application of the petitioner dated 07.01.2010.

For Petitioner : Mr.V.Elangovan

For Respondents 1 : Mr.M.Rajendiran,
Additional Government Pleader

For Respondents 2 to 4 : Mr.Venkatesh Prasad A.P.
for M/s.T.S.Gopalan & Co.,

ORDER

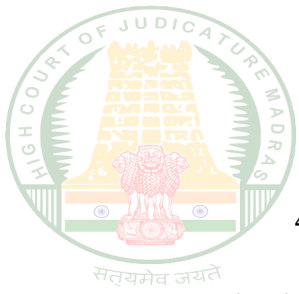
The petitioner has filed this petition to direct the respondents to provide employment to the petitioner's son namely S.Jeeva under the rehabilitation scheme formulated by the respondents under the land acquisition category as per the application of the petitioner dated 07.01.2010.

2. The case of the petitioner is that he is the owner of the agricultural land in S.No.524/30 and 524/3G situated at P.N.Patti Village, Mettur Taluk, Salem District to extent an of 0.03.5 and 0.47.0 hectares respectively. The



above land was acquired by the respondents for the purpose of Uppar Ash Dyk to the Mettur Power Project and the compensation amount was fixed as Rs.68,271/-. The grievance of the petitioner is that he was doing agriculture in the above land and there is no other income except the income derived from the above land and he was given assurance by the respondents that an employment will be provided to him or his legal heirs. The petitioner made an application to the fourth respondent on 07.01.2010, for providing employment to petitioner's son namely Jeeva as per the rehabilitation scheme. But the respondents did not pass the order to provide any employment to petitioner's son. Aggrieved by the same, the petitioner has come up with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner would submit it would suffice if this Court issues direction to the third respondent to consider the petitioner's application dated 07.01.2010 on merits, in accordance with law within a time frame to be fixed by this Court.



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4. Learned standing counsel appearing for the respondents would submit that there was no such application dated 07.01.2010 available in the office records. Hence, he prays this Court that direction may be issued to the petitioner for submitting a fresh representation before the third respondent.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the submission made by the learned counsel on either side, without going into the merits of the case, this Court issues the following directions:

(i) The petitioner is directed to give a fresh representation to the third respondent along with relevant documents, within a period of two weeks from the date of receipt of a copy of this order;

(ii) On receipt of such representation, the third respondent is directed to consider the same on merits, in accordance with law and pass appropriate orders, within a period of six weeks thereof.

7. This writ petition is disposed of with the aforesaid observation and



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directions. No costs.

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Index : Yes/No

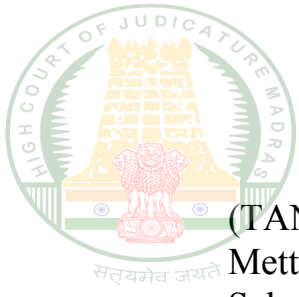
Speaking Order : Yes/No

Neutral Citation : Yes/No

To:

- 1.The Principal Secretary to Government,
Energy Department,
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Chennai – 600 009.
- 2.The Chairman,
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(TANGEDCO),
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(TANGEDCO),
Mettur Dam,
Salem District.

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