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W.A.No.2368 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2025

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR**

**W.A.No.2368 of 2025
and
C.M.P.No.18053 of 2025**

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer / Personnel,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.
3. The Chief Engineer,
North Chennai Thermal Power Station,
Chennai - 600 120.
4. The Superintending Engineer,
North Chennai Thermal Power Station,
Chennai - 600 120.

... Appellants

-Vs-

1. S. Durai
2. The District Collector,
Thiruvallur District,



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Thiruvallur - 602 001.

3. The District Revenue Officer,
Thiruvallur District,
Thiruvallur - 602 001.

... Respondents

PRAYER : Appeal filed under Clause XV of Letters Patent, against the order dated 18.03.2025 in W.P.No.21266 of 2019.

For Appellants : Mr.Anand Gopalan
for M/s.Advit Law Chambers

For Respondents : Mr.S.N.Ravichandran for R1
Mr.E.Vijay Anand
Addl. Govt. Pleader for R2

J U D G M E N T

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This intra Court appeal has been directed against the order dated 18.03.2025 made in W.P.No.21266 of 2019.

2. The question arises in this appeal is, as to whether the nominee of a land holder whose land has been acquired for the purpose of an electricity project undertaken by TANGEDCO is entitled to get a job under the category of land holders.



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3. In fact, the very same issue had come up for consideration before us in W.A.No.2519 of 2025, where by order dated 02.09.2025, we have passed the following order:

"6. The proceedings dated 25.01.1990 issued by the appellants were in continuation of the Government Order dated 29.06.1978, which permitted Public Sector Undertakings to recruit, without reference to the Employment Exchange, one member of each family displaced due to acquisition of lands for such projects. Paragraph 3(v) of the proceedings dated 25.01.1990 specifically provided that in cases where the family had no physically fit male member, either due to age or infirmity, the family could nominate a relative for appointment. Such nomination, once made, was final and irrevocable.

7. It is not in dispute that the lands belonging to the respective families, of whom the writ petitioners claim to be the relatives, were acquired; and the order dated 25.01.1990 specifically relates to the very project for which the said lands were acquired and subsequently utilised. Their nomination by the displaced families was in strict conformity with paragraph 3(v) thereof. The subsequent clarification dated 26.07.1996 issued by the Secretary to Government, Labour and Employment Department, which confined eligibility to sons, unmarried daughters, and spouses of displaced families, does not in any manner amend, supersede, or retrospectively nullify the earlier proceedings dated 25.01.1990. Importantly, the



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appellants themselves have not modified or withdrawn the said proceedings, particularly paragraph 3(v), by any valid administrative or statutory order.

8. Once the right accrued to the petitioners under paragraph 3(v) of the proceedings dated 25.01.1990, such accrued right cannot be unilaterally withdrawn to their prejudice. The doctrine of legitimate expectation clearly applies to the present case, since the displaced families parted with their lands for the project under the assurance contained in the scheme, including the right to nominate a relative where no fit male member was available. To deny such benefit at a later stage on the ground of a subsequent clarification would not only be arbitrary but would also offend the principles of equality and fairness enshrined in Articles 14 and 16 of the Constitution of India.

9. The learned Single Judge, while passing the impugned order, has rightly relied upon the decision of this Court in W.P. Nos.17874 to 17880 of 2013, wherein similar directions were issued to provide suitable employment to the nominees of displaced families under the proceedings dated 25.01.1990. The said decision was affirmed by a Division Bench, and the challenge thereto was also repelled by the Hon'ble Supreme Court. In such circumstances, the reasoning of the learned Single Judge in the present case cannot be faulted with.

10. In the light of the foregoing discussion, we are of the considered view that the claim of the writ petitioners was



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rightly allowed by the learned Single Judge. The impugned order directing the appellants to issue appointment orders to those petitioners who satisfy the criteria under paragraph 3(v) of the proceedings dated 25.01.1990 does not suffer from any illegality, infirmity, or perversity warranting interference by this Court in intra-Court appeal."

4. It is further to be noted that, there were more than twenty respondents in that writ appeal who stood as writ petitioners in W.P.No.29343 of 2014 and as similar order was passed in that writ petition as that of the present impugned order, as against which, the very same appellant / TANGEDCO since had filed the said writ appeal, i.e., W.A.No.2519 of 2025, we have passed the aforesaid order by dismissing the said writ appeal. Thereby, the benefits already directed to be given to all those land holders who were the respondents in that writ appeal would be made applicable to the first respondent also. It is further to be noted that, in the said writ petition, i.e., in W.P.No.29343 of 2014, the very same first respondent / writ petitioner stood as one of the party in Serial No.20. Therefore, that order would take care of the interest of all those people including the present land holders, namely, Durai who is the first respondent herein. Be that as it may, as a reply since has been given specifically to the first respondent, it might have triggered the first respondent / writ petitioner to file



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separate writ petition in W.P.No.21266 of 2019, i.e., the present writ petition which has also been disposed through the impugned order dated 18.03.2025 of course in favour of the writ petitioner. Aggrieved over the same, since this writ appeal has been filed, the same has to be disposed of in the same line which we have disposed in the earlier writ appeal, i.e., W.A.No.2519 of 2025.

5. In that view of the matter, this Writ Appeal is also dismissed and the orders passed in W.A.No.2519 of 2025 since would be applicable to the present first respondent also, the direction given thereof shall take care of the interest of the present first respondent also. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.) (H.C., J.)
04.09.2025

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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To
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1. The District Collector,
Thiruvallur District,
Thiruvallur - 602 001.
2. The District Revenue Officer,
Thiruvallur District,
Thiruvallur - 602 001.



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HEMANT CHANDANGOUDAR, J.**

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