



W.A No. 2519 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-09-2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No. 2519 of 2025

AND

CMP.No. 19825 of 2025

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai-600002.

2.The Chief Engineer,
North Madras Thermal Power Project,
Ennore, Chennai-600120.

..Appellants

Vs

1.K. Paramasivam
2.E.Ramalingam
3.R.Selvam
4.Vishnuram
5.Saraswathi
6.Jagathambal
7.Sivakanthi



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8.N.Madhanagopal

9.Baburaj

10.Thulasi

11.Kamala

12.Selvam

13.P.Karunakaran

14.Munuswamy

15.Balan

16.A.Durairaj

17.Muniammal

18.P.Ranganathan

19.Manimaran

20.Durai

21.D.Gowri

22.S.Ramdoss

23.S.Sundaram

24.Durai

25.Chockalingam

26.Dharman

27.P.Chandran

28.Vijayalakshmi

29.Sridhar

30.Rajagopal

31.Bharathi

32.Vijayakumar

33.Prakash

34.Gajendran



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35.State of Tamil Nadu

Rep by its Secretary to Government,
Revenue Department,
For St.George, Chennai-600009.

36. The District Collector,
Thiruvallur District,
Thiruvallur-602001.

37.The Special Tahsildar (Land Acquisition)
North Madras Thermal Power Project
Ennore, Chennai-600120

38.The Tahsildar,
Ponneri Taluk,
Tiruvallur District – 601204.

..Respondents

Writ Appeal is filed under Clause 15 of Letter Patent to set aside the
order dated 07.03.2025 passed in W.P.No. 29343 of 2014.

For Appellants: Mr. Anand Gopalan

For Respondents : Mr. M.Arunkumar

For Sampathkumar and Associates



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JUDGMENT

(made by JUSTICE HEMANT CHANDANGOUDAR)

By consent of both the learned counsel appearing on either side, this Writ Appeal is taken up for final disposal and is disposed of by this judgment.

2. This intra-Court appeal is directed against the order dated 07.03.2025 passed by the learned Single Judge in W.P. No.29343 of 2014. By the said order, the appellant herein was directed to implement paragraph 3(v) of the Administrative Branch Proceedings bearing Ref. No. B.P.Per (F.B.) No.3 dated 25.01.1990 and to issue suitable appointment orders to those writ petitioners who have satisfied the requisite criteria stipulated in the said proceedings, within a period of three (3) months from the date of receipt of a copy of the order.

3. The writ petitioners, who are the private respondents herein, claim that they are the relatives of respective families whose lands were acquired and utilised for the Mettur Thermal Power Project. It was further contended that as



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the said families did not have any physically fit male member, they were nominated by the respective families for appointment in terms of the order dated 25.01.1990. Their claims having been rejected, the writ petitioners approached this Court in W.P. Nos. 6664 and 6665 of 2006. By order dated 07.03.2012, this Court directed the appellants to reconsider the representations in the light of the proceedings dated 25.01.1990 as well as the order dated 24.10.1998 in W.P. No.10245 of 1997 , and pass orders afresh in accordance with law. Upon reconsideration, the appellants once again rejected the claim for appointment, which led to the filing of W.P. No.29343 of 2014. The learned Single Judge, by the impugned order, allowed the writ petition and issued the directions noted supra.

4. Mr. Anand Gopalan, learned counsel for the appellants, contended that the writ petitioners are not entitled to any appointment under the order dated 25.01.1990, as the same stood modified by communication dated 26.07.1996 issued by the Secretary to Government, Labour and Employment Department, which confined the benefit of appointment strictly to members of the displaced family, namely, sons, unmarried daughters, and spouses. It was therefore



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submitted that since the writ petitioners are only relatives of the displaced families and not “family members” within the meaning of the scheme post-modification, they cannot claim appointment. It was further argued that the learned Single Judge erred in directing consideration of their claims under paragraph 3(v) of the proceedings dated 25.01.1990, overlooking the subsequent clarification.

5. We have carefully considered the submissions of the learned counsel for the appellants and perused the materials placed on record.

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.



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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 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



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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 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



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proceedings dated 25.01.1990 does not suffer from any illegality, infirmity, or perversity warranting interference by this Court in intra-Court appeal.

11. Accordingly, the Writ Appeal stands dismissed. Consequently, connected Miscellaneous Petitions stand closed. There shall be no order as to costs

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

02.09.2025

Index : Yes / No
Internet : Yes/No
Neutral Citation : Yes / No
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To

1. The Executive Director,
The Handloom Export Promotion Council,
Nungambakkam,
Chennai -600034.

2. The Chairman,
The Handloom Export Promotion Council,
Nungambakkam,
Chennai -600034.



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R. SURESH KUMAR, J.

and

HEMANT CHANDANGOUDAR, J.,

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