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W.A.No.794 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **G. ARUL MURUGAN**

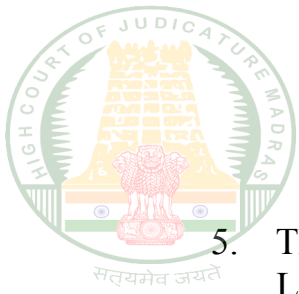
W.A.No. 794 of 2024

M. Sadasivam

...Appellant

Vs.

1. The Chairman cum Managing Director,
Neyveli Lignite Corporation Ltd.,
Neyveli, Cuddalore District - 607 802.
2. The Director (Personnel)
Neyveli Lignite Corporation Ltd.,
Neyveli, Cuddalore District - 607 802.
3. The General Manager,
Operation/Mine II/Appellate Authority,
Neyveli Lignite Corporation Ltd.,
Neyveli, Cuddalore District - 607 802.
4. The Deputy General Manager,
Lignite Bench/Mine II/Disciplinary Authority,
Neyveli Lignite Corporation Ltd.,
Neyveli, Cuddalore District - 607 802.



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5. The Chief Manager,
Lignite Bench/Mine II,
Neyveli Lignite Corporation Ltd.,
Neyveli, Cuddalore District - 607 802.

...Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside
the order passed in WP No.29844 of 2016 dated 03.06.2020.

For Appellant : Mr.T.P.Prabakaran

For Respondents : Mr. N.Nithianandam

J U D G M E N T

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

Admittedly, challenge is to the order of the Writ Court made in WP
No.29844 of 2016 dated 03 06.2020.

2. Challenge before the Writ Court was to the order of the third
respondent viz. the General Manager of the NLC date 05.07.2016
confirming that of the Deputy General Manger dated 24.03.2014 imposing a



punishment of dismissal from service on the appellant.

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3. The facts that led to the filing of the Writ Petition are as follows:

Land belonging to one Pitchaikaran, was acquired by the Corporation. It is stated that said Pitchaikaran had two wives. He had one daughter through the first wife and one daughter through the second wife. Claiming that Pitchaikaran had nominated one Rajakannu, who is the husband of the daughter through the first wife Yasoda, to take the job under the land looser category. The said Rajakannu instead of taking the job himself gave a letter nominating the appellant, who happens to be his son-in-law viz. the husband of Manonmani, who is the grand daughter of Pitchaikaran, to avail the benefit of employment under the land looser category.

4. The respondent Corporation also for reasons best known to the officials of the respondent Corporation permitted the fraudulent activities and appointed the appellant under the land looser category on 12.06.1989. It is also seen that on 03.06.1989, the said Pitchaikaran had addressed the



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letter to the Deputy Chief Engineer, Neyveli Land Acquisition Scheme, stating that the job may be offered to Sadasivam, son of Mani, the appellant herein, who he claims is his son-in-law.

5. The fact that the officers of the respondent Corporation colluded with the appellant to enable him to get a job under the land looser category is writ large on the face of the facts of this case. While in the first letter Rajakannu claims to be the son of Pitchaikaran and he claims that Sadasivam, son of Mani, is his son-in-law in the letter executed by Pitchaikaran on 03.06.1989, it is stated that the appellant is the son-in-law of Pitchaikaran. But the legal heir ship certificate issued to Pitchaikaran shows that his heirs are his wife viz. Anjalatchi and daughter viz. Dhanalakshmi.

6. The learned counsel for the appellant would claim that the legal heirship certificate is forged or fraudulent, we do not find a need to go into it for the purposes of this Writ Appeal. We also find that there is an agreement between the appellant and the second wife and daughter of



Pitchaikaran for payment of consideration for transfer of this right to secure the job.

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7. As per the Scheme for employment to land looser, it is the awardee or his immediate family members who would get the benefit of employment, the said benefit is not transferable. As per the Scheme, it is the awardee or awardee's spouse son or daughter and in case there is no qualified son or daughter or spouse of the awardee son-in-law or daughter-in-law of the awardee is eligible. Though it is conceded that the appellant is the son-in-law of the daughter of the awardee viz. Pitchaikaran still the officials of NLC were magnanimous enough to grant employment to the appellant. On a complaint by Pitchaikaran's daughter viz. Dhanalakshmi action was taken and the appellant was terminated from service.

8. Upon challenge the Writ Court found that the appellant was not entitled to the benefit of employment under the land looser category. However, the Writ Court taking note of the fact that the petitioner has served the Corporation for 24 years without any adverse remarks converted



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the punishment of dismissal from service as a punishment of compulsory retirement. The Corporation was also directed to settle all monetary and attended benefits on the appellant making an application for settlement.

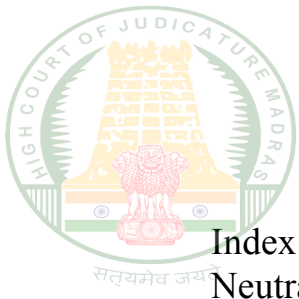
9. The appellant in fact filed an application for contempt complaining that the orders of the Writ Court were not complied with. The said Contempt Petition came to be closed on 19.02.2021 directing the petitioner to vacate the quarters and make a representation to NLC. The NLC was directed to disburse the eligible amount on receipt of such representation. It is now stated that the appellant vacated the quarters and all eligible monetary benefits have also been paid over to him.

10. In the light of the above, we do not see any merit in the Appeal, the Appeal fails and it is accordingly dismissed. There shall be no order as to costs.

(R.SUBRAMANIAN, J.) (G. ARUL MURUGAN, J.)
28.03.2025

jv

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Index : Yes/No

Neutral Citation : Yes/No

Speaking order/Non Speaking order

To

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