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W.A.No.235 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No.235 of 2022
and
C.M.P.No.1698 of 2022

- 1.Tamil Nadu Generation and Distribution Corporation Ltd.,
(formerly known as Tamil Nadu Electricity Board),
Rep. by its Chief Engineer (Personnel),
No.144, Anna Salai,
Chennai – 600 002.
- 2.The Chief Engineer,
North Chennai Thermal Power Station,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Chennai – 600 120.
- 3.The Superintending Engineer,
Civil Maintenance,
North Chennai Thermal Power Station,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Chennai – 600 120.

...Appellants

Vs.

M.Dillibabu

...Respondent

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying allow the Writ Appeal and set aside the order dated 26.04.2021 passed in W.P.No.8617 of 2014.



W.A.No.235 of 2022

For Appellants : Mr.Anand Gopalan
for M/s.T.S.Gopalan and Company
For Respondent : Mrs.V.Porkodi

J U D G M E N T

(Judgment of the Court was delivered by S.M.SUBRAMANIAM, J.)

Under assail is the writ order dated 26.04.2021 passed in W.P.No.8617 of 2014.

2. The Tamil Nadu Generation and Distribution Corporation Ltd., [hereinafter referred to as “TANGEDCO”] preferred the present intra-Court appeal under Clause 15 of the Letters Patent mainly on the ground that the application seeking employment assistance by the family of land looser was filed after a lapse of 18 years from the acquisition proceedings and more so, their family has not established that the acquired land alone was the source of livelihood, so as to extend the benefit. Thus, the claim for employment assistance came to be rejected by TANGEDCO.

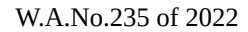
3. The facts in brief required to consider the issue are that the respondent’s father owned a land in S.No.896/1A part, situated at No.144, Vallur Village, Ponneri Taluk, Chennai, measuring to an extent of 0.57 acres. The land originally belonged to the grandfather of the petitioner and his father

2/8



inherited the property. The land was acquired from the father of the petitioner by TANGEDCO for establishing North Chennai Thermal Power Project. In 1992 acquisition proceedings were completed. During the relevant point of time, the father of the petitioner was employed in the Tamil Nadu Electricity Board [hereinafter referred to as "TNEB"]. The learned counsel for the respondent would submit that he was a contract employee. However, the learned counsel for the appellant would submit that at the time of acquisition, he was a contract employee, but, he was subsequently brought under the regular establishment in the year 1999 and he served as permanent employee of TNEB and retired from service. Therefore, the land acquired was not only the source of income for the family sustenance. The father of the petitioner became regular employee of TNEB and retired from service. That apart, the father of the petitioner, since employed, had not applied for employment assistance. After his retirement, nearly after a lapse of 18 years, the petitioner submitted an application seeking employment assistance based on the Government Order issued in G.O.Ms.No.656, Labour and Employment Department, dated 29.06.1978. The said application was rejected by the Board vide proceedings dated 22.06.2010.

4. The learned counsel appearing for the appellants would contend that the writ Court has not considered the fact that the application filed by the respondent is belated and the family of the respondent has not established





W.A.No.235 of 2022

established that the land acquired is the only source of sustenance of the family and in such circumstance alone, the employment assistance needs to be provided. It is not as if one employment is to be provided to the family of a land loser. It is not guaranteed that one appointment is to be granted to one family and that is not the object sought to be achieved. The purpose of such concession is to ensure that any family on account of acquisition of land lost their livelihood, then an employment opportunity is to be provided to one person in the family to support the family. If the family is having sufficient source of income, then the employment opportunity cannot be claimed as an absolute right. The right to seek employment assistance would accrue only if the land loser establishes that the land acquired is the only source of income for the family and on account of acquisition they lost their livelihood.

8. In the present case, admittedly the father of the petitioner was initially employed as contract labourer and subsequently observed as regular employee in TNEB during the relevant point of time and he retired as a regular employee. Therefore, it cannot be construed as if the family of the petitioner was solely depending on the land acquired. Thus, the petitioner cannot claim job assistance as a right. That apart, the lands were acquired in the year 1992 and the application came to be filed after a lapse of 18 years and it was rejected in the year 2010. Now almost 33 years have lapsed. At this juncture the employment assistance cannot be provided by the Courts. Even efflux of



W.A.No.235 of 2022

time in filing the application would be sufficient to draw a factual inference that the family sustained for such a long period and therefore, they were not depending upon the land acquired by the Government in the year 1992.

9. For all these reasons, this Court is of the considered view that the writ order is not in consonance with the objectives of the employment assistance Scheme provided to the land looser and more so, the respondent is not an eligible person to secure job assistance under the policy.

10. For all these reasons, the Writ order dated 26.04.2021 in W.P.No.8617 of 2014 is set aside and the present Writ Appeal stands **allowed**. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S., J.) (C.K., J.)
23.02.2026

dsa
Index :Yes/No
Neutral Citation :Yes/No
Speaking/Non-speaking order



W.A.No.235 of 2022

To

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