

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7637 of 2016

S.Kulothungan

... Petitioner

-Vs-

1. The Chief Engineer (General)
(Highways and Rural Works)
Chepauk
Chennai 600 005

2. The Divisional Engineer
Highways and Rural Works
Cuddalore

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to consider petitioner request on the basis of the G.O.Ms.1067 P & AR (FR) Department dated 10.11.1982 and to pay the arrears of enhanced increments in the light of the said G.O.

For Petitioner : Mr.V.Bhiman

For Respondents : Mr.P.Chinnadurai
Government Advocate

ORDER

Mr.S.Koluthungan, a retired employee of the Highways and Rural Works Department, has come to this Court seeking a prayer for issuance of a writ of mandamus, directing the first respondent to consider his request on the basis of G.O.Ms.No.1067, Personnel and Administrative Reforms (F.R.I) Department dated 10.11.1982 and for grant of consequential benefits.

2. But this Court is of the view that the writ petition has to be dismissed on the ground of huge delay. According to the learned counsel for the petitioner, the petitioner retired from service on 31.10.97 on reaching the age of superannuation. While so, the petitioner should have diligently pursued his remedy either before his retirement or at least immediately

after he was permitted to retire from service. Although the learned counsel submitted that an appeal dated 9.6.2005 is pending, this Court is not inclined to accept the said submission, as the petitioner has admittedly made the representation only on 1.1.2016. As the said representation is also highly belated, this Court is not able to excuse the huge delay, since the petitioner retired from service long ago on 31.10.97. Accordingly, the writ petition fails and it is dismissed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Chief Engineer (General)
(Highways and Rural Works)
Chepauk
Chennai 600 005
2. The Divisional Engineer
Highways and Rural Works
Cuddalore

+1cc to Mr.V.Bhiman, Advocate, S.R.No.13016
+1cc to the Government Pleader, S.R.No.13247

W.P.No.7637 of 2016

SV(CO)
CA(17/03/2016)

सत्यमेव जयते

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