

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.9884 of 2016

G.Subramanian

.. Petitioner

-VS-

1.The State of Tamil Nadu,
represented by its Secretary,
Fort St. George,
Chennai - 600 009.

2.The District Elementary Educational Officer,
Villupuram, Villupuram District.

3.The Assistant Elementary
Educational Officer,
Thiruvannainallur,
Villupuram District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 1st and 3rd respondents to consider the petitioner's representation dated 11.01.2016 for the sanction of annual increment from 02.07.2011 to 01.07.2012 and give consequential monetary and retirement benefits to the petitioner.

For Petitioner : Mr.R.Sreedharan

For respondents : Mr.R.Vijayakumar,
Additional Government Pleader

O R D E R

This writ petition has been filed by the petitioner, seeking a direction to the respondents to consider the petitioner's representation dated 11.01.2016 for the sanction of annual increment from 02.07.2011 to 01.07.2012 and give consequential monetary and retirement benefits to the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.After the petitioner's appointment in the post of Secondary Grade Teacher on 05.11.1976, he had retired from service on reaching the age of superannuation with effect from 30.06.2012. His grievance is that he was paid with the last annual increment on 01.07.2011, since the regular annual increment falls on 1st day of every 7th month. As the annual increment from 02.07.2011 to 01.07.2012 has not been paid to him, he is before this Court. When there was no impediment to pursue the matter immediately after his retirement, it is not known why he has filed this petition after a lapse of four years. Since the petitioner has come to this Court after a lapse of four years and made a belated representation only on 11.01.2016, this Court is not inclined to entertain this petition, by invoking Article 226 of the Constitution of India to issue a writ of mandamus, in favour of the petitioner, who is found to be guilty of laches. Accordingly, the Writ Petition fails and the same is dismissed. No costs.

vga

s/d-
Assistant Registrar(AS)

True Copy

Sub-Assistant Registrar

To

- 1.The Secretary,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
- 2.The District Elementary Educational Officer,
Villupuram, Villupuram District.
- 3.The Assistant Elementary
Educational Officer,
Thiruvannainallur,
Villupuram District.

+ 1 cc to Mr.R.Sreedharan, Advocate SR 17084

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