



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.08.2016

Coram

THE HON'BLE MR.JUSTICE **T.RAJA**

Writ Petition (MD)No.15777 of 2016

and

W.M.P. (MD) .Nos.11570 and 11571 of 2016

WEB COPY

AN Kumaravelu

... Petitioner

-Vs-

1.The Secretary,
Finance (Pension Cell) Department
Fort St George, Chennai-09.

2.The Tahsildar,
Illayangudi, Sivagangai District-02.

3.The Assistant Treasury Officer,
Sub Treasury,
Illayangudi,
Sivagangai District-02.

... Respondents

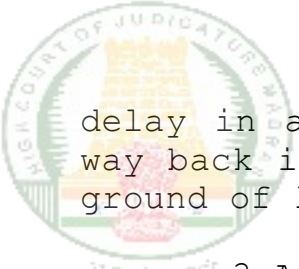
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of 2nd respondent order No.Na.Ka.A dated nil.01.2012 and quash the same and consequently direct the Respondents to pay the deducted amount within a specified time frame that may be fixed by this Hon'ble Court.

For petitioner	:Mr.L.Rajiah
For respondents	:Mr.S.Bharathi
	Government Advocate

ORDER

The petitioner, who was appointed as Karnam on 13.02.1968, had got reappointment in the same post on 04.11.1969 temporarily. After abolition of the said post, he was appointed as Village Administrative Officer with effect from 27.04.1990. After continuously working, he retired from service on 31.12.2004, on reaching the age of superannuation. While so, he was issued with a re-fixation order in the month of January 2012, by the second respondent. The said order is challenged in this writ petition.

2.On a perusal of the affidavit filed in support of the writ petition, this Court is of the view that no reason whatsoever has been assigned for the huge delay in approaching this Court over re-fixation. No valid ground is put forth to excuse the long



delay in approaching the Court against the impugned order passed way back in the year 2012. Hence, the writ petition fails on the ground of laches.

3. At this stage, learned counsel for the petitioner requested for permission to withdraw this writ petition. The said request is rejected. Consequently, the writ petition is dismissed. There shall be no order as to costs. Connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1. The Secretary,
Finance (Pension Cell) Department, Fort St George, Chennai-09.

2. The Tahsildar,
Illayangudi, Sivagangai District-02.

3. The Assistant Treasury Officer,
Sub Treasury, Illayangudi, Sivagangai District-02.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.47415

W.P. (md) .NO.15777 of 2016
24.08.2016

vs

SH/GSV-PM:26.09.2016:2P/5C