

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and
The Hon'ble Sri Justice G.Shyam Prasad

Writ Petition No.22810 of 2016

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Date: 14.07.2016

Between:

Dr..Madhusudhan Rao Santhapuri

..Petitioner

and

The State of Telangana
rep. by its Prl.Secretary
Medical & Health Dept.,
Telangana Secretariat, Hyderabad and 4 others

..Respondents

Counsel for the petitioner: Mr.P.Venkatesh

Counsel for respondent Nos.1 to 4: GP for Services (TS)

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed against Order, dated 04-03-2016, in OA.No.743 of 2016 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad (for short 'the Tribunal').

The petitioner is a retired Civil Surgeon

Specialist. In the year 1993, an anomaly arose in fixation of his pay. Instead of approaching the Tribunal within a reasonable time thereafter, he has invoked its jurisdiction five years after his retirement by placing reliance on Order, dated 26-03-1993, in OA.Nos.3348 to 3354 of 1990.

The Tribunal, while accepting the plea of the petitioner that he may be entitled to the benefit under the afore-mentioned order of the Tribunal, rightly declined to entertain the OA and grant relief to him on the ground that there was enormous delay in his approaching the Tribunal. The Tribunal has followed the jurisprudential principle that 'delay defeats the right' and it has correctly observed that mere making representations, which do not constitute statutory remedies, would not extend the period of limitation prescribed under the Administrative Tribunals Act, 1985, which is one year from the date of arising of cause of action. Thus, the petitioner, having approached the Tribunal with a delay of more than 22 years, was rightly denied the relief. Hence, we do not find any reason to interfere with the order of the Tribunal.

The Writ Petition is, accordingly, dismissed.

As a sequel to dismissal of the Writ Petition,
WPMP.No.28050 of 2016, filed by the petitioner for
interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

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(G.Shyam Prasad, J)

Dt: 14th July, 2016
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