



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.04.2017
CORAM

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

W.P. (MD) .No. 6911 of 2017

V. Pandi

..Petitioner

Vs.

The Superintending Engineer,
Office of the Superintending Engineer,
Madurai Electricity Distribution Circle,
Madurai - 625 007.

.. Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation, dated 14.02.2017 and pass orders within the time stipulated by this Court.

For Petitioner : Mr. Pon Senthil Kumaran

For Respondent : Mr. S. Dhayalan,
Standing Counsel for T.N.E.B.,

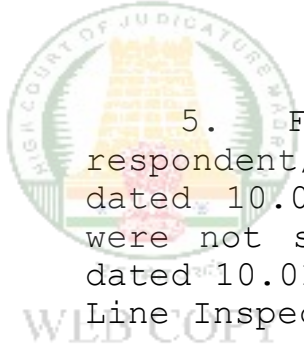
O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation, dated 14.02.2017 and pass orders within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Standing counsel for T.N.E.B., appearing for the respondent.

3. Mr. S. Dhayalan, learned Standing Counsel for T.N.E.B., takes notice for the respondent. By consent, the Writ petition itself is taken up for final disposal.

4. The petitioner retired from service on 31.07.2008 as Line Inspector in Tamil Nadu Electricity Board. However, the petitioner has made a representation, dated 14.02.2017, requesting the respondent to promote him as Foreman Grade-I along with his juniors.



5. From the records, it can be seen that the respondent/Superintending Engineer, Madurai, has passed an order, dated 10.01.2007 itself stating that the petitioner and others were not selected for promotion as Foremen Grade-I. The order, dated 10.01.2007, excluding the petitioner's name from the list of Line Inspectors has not been challenged.

6. Though the petitioner retired in the year 2008, he has made the representation, dated 14.02.2017 after a period of ten years, ignoring the adverse decision taken against the petitioner in the year 2007. The petitioner did not challenge the order where by his right to promotion was denied. This Court find no merits in the Writ petition which is filed for issuing a Writ of Mandamus. Further, the petitioner has not explained the delay of 10 years to approach this Court. The petitioner's representation will not give fresh cause of action. Hence, the Writ petition is liable to be dismissed on the ground of laches. Accordingly, the Writ petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

The Superintending Engineer,
Office of the Superintending Engineer,
Madurai Electricity Distribution Circle,
Madurai - 625 007.

pmu
AE/RSK/SAR1/30.05.2017/2P/2C

ORDER MADE IN
W.P. (MD) .No.6911 of 2017
17.04.2017