

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.31909 of 2017

Date:19.9.2017

Between:

S.Anantharam,

S/o Late S.Ramachandraiah

..... Petitioner

And:

The State of A.P., repto by its
Principal Secretary, Home
Guntur District
and three others.

....Respondents

Counsel for the petitioner: Mr. P.Venkatesh

Counsel for the respondents: GP for Services (TS)

The Court made the following:

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Writ Petition is filed for a *Mandamus* to direct the respondents to comply with order passed as far back as 29.9.2003, in Review M.A.No.3240 of 2003 in Original Application No.2664 of 1997 by the Andhra Pradesh Administrative Tribunal at Hyderabad (for short 'the Tribunal').

During the hearing, when this Court pointed out at the stale nature of the claim, in that, the petitioner has approached this Court 14 years after passing of the afore-mentioned order for its enforcement, learned counsel for the petitioner submitted that till the year 2010, Writ Petition No.26102 of 2009 filed by the respondents was pending and that, after its dismissal by order, dated 28.01.2010, the petitioner had been making representations to the respondents. When we enquired with the counsel as to why the petitioner did not invoke the remedy of Contempt before the Tribunal, he has replied that it is time barred.

In our opinion, the jurisdiction of this Court cannot be invoked for execution of stale and belated claims. Even if the petitioner had any justifiable reason for not approaching the Tribunal or this Court till the year 2010, he did not avail his remedies at least for a period of seven years after the dismissal of Writ Petition No.26102 of 2009. At any rate, the petitioner

having already obtained an order from the Tribunal, he has to necessarily go before the latter seeking its enforcement/execution.

Subject to the above observations, the Writ Petition is dismissed.

As a sequel, WPMP.No.39744 of 2017 is dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE GUDISEVA SHYAM PRASAD

19th September 2017

DR

