

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.2309 of 2018

P.K.Periyasamy

Appellant/Petitioner

Versus

1. The State rep. by
the Principal Secretary to Government,
Home Department,
Fort St. George, Chennai 600 009.

2. The Director General of Police,
Mylapore, Chennai 600 004.

Respondents/Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 26.4.2018 passed in W.P.No.10726 of 2018 on the file of this court. Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus directing the respondents to consider and pass orders on petitioner's representation dated 13.10.2007, 30.07.2009, 22.05.2017 and 03.04.2018 on the basis of the Judgment of the Division Bench of this Court in W.P.Nos.38792 and 38793 of 2003 dated 10.09.2007 and restore petitioner's seniority and grant all service benefits within the time frame fixed by this Court

For appellant : Mr.V.M.Venkatraman

For respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, who takes notice on behalf of the respondents.

2. The writ appeal has been filed by the writ petitioner, challenging the order passed by the learned Single Judge in dismissing the writ petition filed by him seeking restoration of

seniority.

3. It appears that the appellant/writ petitioner, who was aggrieved by a revision of his seniority during his service in the Police Department, had been submitting representations one after another from the year 2007 to 2018, seeking restoration of his seniority, after his superannuation in the post of Deputy Superintendent of Police on 30.6.2009 and he had come up with the writ petition seeking a direction to consider his claim on the basis of his representations.

4. The learned Single Judge, having observed that the appellant had been merely submitting representations and slept over the issue and after lapse of about eight years, had knocked the doors of the court, dismissed the writ petition on the ground of delay and laches.

5. We are not inclined to differ with the view taken by the learned Single Judge. The writ appeal is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

ssk.

To:

1. The Principal Secretary to Government,
Home Department,
Fort St. George, Chennai 600 009.

2. The Director General of Police,
Mylapore, Chennai 600 004.

+1cc to Mr.V.M.Venkatramana, Advocate SR.No.73717

+1cc to Government Pleader SR.No.73904

W.A.No.2309 of 2018

KK(CO)

GMV(28/11/2018)