

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2018

CORAM:

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

C.M.P.No.17267/2018 in W.A.SR.No.54590/2018

M.Durairaj

... Petitioner

Vs

1. The Chief Engineer-Personnel,
Tamil Nadu Electricity Board,
800, Anna Salai,
Chennai-2.

2. The Additional Chief Engineer,
Chengalpattu Electricity Distribution
TNEB, Chengalpattu.

... Respondents

Prayer : Civil Miscellaneous Petition filed under Section 5 of the
Limitation Act to condone the delay of 108 days in filing the Writ Appeal
against the order dated 03.01.2018 made in W.P.No.35381 of 2012.

For Petitioner :: Mr.R.Bharathkumar

For Respondents :: Mr.P.R.Dhilip Kumar

WEB COPY

ORDER

(Order of the Court was made by **HULUVADI G.RAMESH , J.**)

Seeking to condone the delay of 108 days in filing the Writ Appeal against the order of this Court dated 03.01.2018 made in W.P.No.35381 of 2012, the present Civil Miscellaneous Petition has been filed.

2. Heard both sides and we have also perused the typed set of papers filed along with the present petition.

3. At the outset, it is pertinent to mention that the learned Single Judge while dismissing the Writ Petition has held that since one Mr.Raveendiran, claimed to be a junior to the petitioner has been promoted much earlier to the petitioner to the higher post, the petitioner cannot seek parity with the said Raveendiran. Further, he has held that the said Raveendran had approached this Court at appropriate time in 2010 and obtained certain directions, based on which, his promotion was granted as Foreman Grade I in 2010 and to the higher post subsequently. But the petitioner having lost his chance to seek appropriate legal remedy at the appropriate time, cannot raise the present issue at the fag end of his carrier, that too, at the verge of his retirement.

4. In view of the above, we are of the view that there is no scope for interference with the order passed by the learned Single Judge. As such, the Civil Miscellaneous Petition is dismissed. Consequently, the Writ Appeal is rejected.

tsi



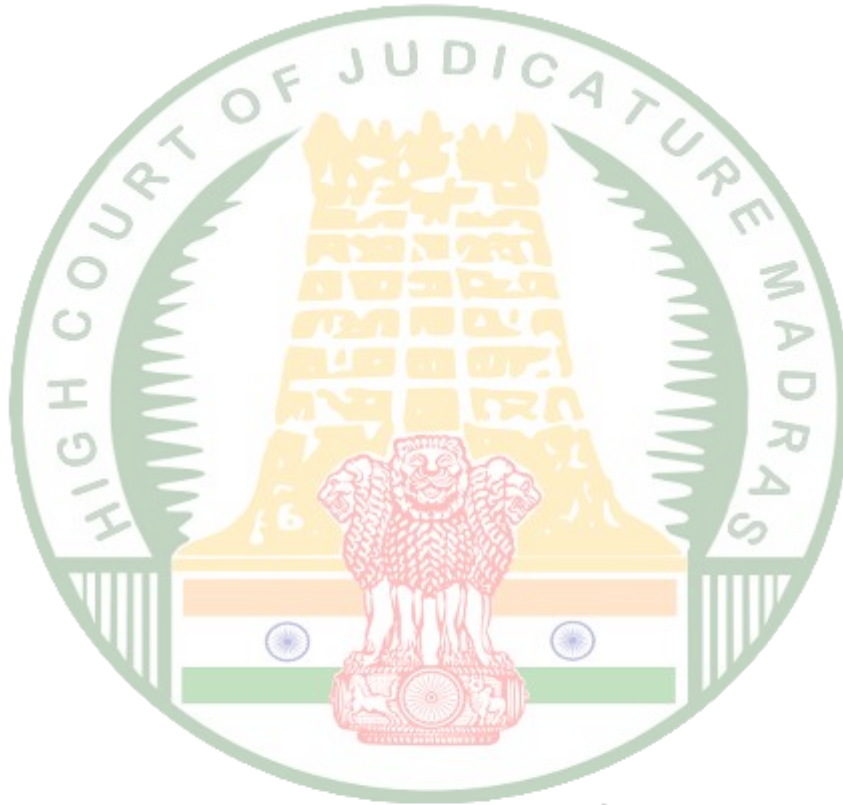
WEB COPY

HULUVADI G.RAMESH,J.

and

K.KALYANASUNDARAM, J.

tsi



सत्यमेव जयते

C.M.P.No.17267/2018 in
W.A.SR.No.54590 of 2018

WEB COPY

26.09.2018