

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated :25.10.2018

Coram
The Hon'ble Mr.Justice Satrugana Pujahari

Writ Petition No.27763 of 2018

A.Nallu

...Petitioner

Vs.

1.The State of Tamilnadu,
rep. by its Home Secretary,
Fort St. George, Chennai-9

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

3.The Deputy Inspector General of Police,
Salem Range, Salem.

4.The Superintendent of Police,
Salem District, Salem.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to consider petitioner's representation dated 18.09.2018 and to correct the date of promotion of the petitioner on up-gradation as Special Sub-Inspector of Police (SSI) on 15.09.2000, on overall completion of 25 years of service as per G.O.Ms.No.15, Home (Police-V) Department dated 07.01.2010 and as per W.A.No.1506 of 2011 filed before Madurai Bench of Madras High Court granted the relief and revise the pension and other monetary benefits accordingly and pay the arrears with interest accrued thereon.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Mrs.R.Janaki, AGP

ORDER

Heard, Mr.S.Pushpakaran, the learned counsel appearing for the petitioner and Mrs.R.Janaki, learned Additional Government Pleader, who accepts notice on behalf of the respondents. With the consent of the learned counsel on either side, the Writ Petition is taken up for disposal.

2.It appears that the petitioner, who had retired from service in the year 2008 has come to this Court filing this writ petition seeking the relief of up-gradation to the post of Special Sub-Inspector of Police on completion of 25 years of service, pursuant to the Government Orders issued in G.O.Ms.No.844, Home Department dated 03.06.1997 & G.O.Ms.No.937 Home (Police-3) Department dated 21.07.1998. According to the petitioner, he has made a representation on 18.09.2018, seeking up-gradation and granting him the retiral benefits, but the same having not been disposed of, the petitioner has come to this Court seeking the relief to consider his such representation in a time bound manner.

3. Needless to say that the aforesaid Government Order is of the year 1997. The petitioner remained in service till 2008. However, he had then made any grievance to extend the benefit of the said Government Order during the time when he was in service and also immediately after his retirement. The petitioner had stated that pursuant to the order of the Madurai Bench of this Court passed in W.A.(MD).No.1506 of 2011 dated 17.06.2013, he is claiming the benefit thereof, but the same was not considered immediately. Thereafter, the petitioner has made a representation in a recent past. However, the claim of the petitioner appears to be a stale one. The petitioner is guilty of delay and laches. Therefore, this Court is not inclined to entertain such stale plea of the petitioner to grant the relief sought for at this belated stage.

4. In view of the above, this writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Home Secretary,
Fort St. George, Chennai-9

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

3.The Deputy Inspector General of Police,
Salem Range, Salem.

4.The Superintendent of Police,
Salem District, Salem.

+1cc to Mr.S.Pushpakaran, Advocate, S.R.No.73561
+2ccs to the Government Pleader, S.R.No.73913 and 73948

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SSD(CO)

rrs 22/11/2018



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