

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.10.2018

Coram

The Hon'ble Mr.Justice Satrughana Pujahari

W.P.No.27770 and 27776 of 2018

1. K. Saraswathi ... Petitioner in W.P.No.27770 of 2018
2. J.Saroja ... Petitioner in W.P.No.27776 of 2018

Vs.

1. The State of Tamil Nadu,
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 1 to 4 in both W.Ps.

Prayer in W.P.No.27770 of 2018

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 18.09.2018, and to correct the date of promotion of my husband late E.Kandasamy on upgradation as Special Sub Inspector of Police (SSI) on 17.08.2002, 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 the 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.

Prayer in W.P.No.27776 of 2018

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated

24.09.2018, and to correct the date of promotion of petitioner's husband late K.Jayabalan on upgradation as Special Sub Inspector of Police (SSI) on 17.08.2002, 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 the 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 Petitioners in both W.Ps. : Mr.S.Pushpakaran

For Respondents in both W.Ps.: Mrs.R.Janaki

Additional Government Pleader

COMMON ORDER

Heard, Mr.S.Pushpakaran, the learned counsel appearing for the petitioners and Mrs.R.Janaki, learned Additional Government Pleader, who accepts notice on behalf of respondents. Since the issue involved in both the Writ Petitions are identical in nature, they were taken up together and disposed of vide this common order.

2. It appears that the petitioners are the widows of retired Police Personnel working under the respondents. Their husband had retired many years ago and died in the meanwhile. During their lifetime, they ventilated no grievance before the respondents claiming upgradation of their services not to have been done from any particular date and as such, to do the same and revise their pension. However, on their death, their widows (petitioners) have come claiming the same.

3. The concerned persons, viz., the husband of the respective petitioners had not claimed for such upgradation during their lifetime till their death though retired. The petitioners, who are their widows have come to file the Writ Petitions claiming the same. The claim in this regard is stale and dead. In such premises, this Court is of the view that the claim of the petitioners are liable to be defeated on the ground of delay and laches. Hence, this Court dismiss both the Writ Petitions at the stage of admission. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

sd

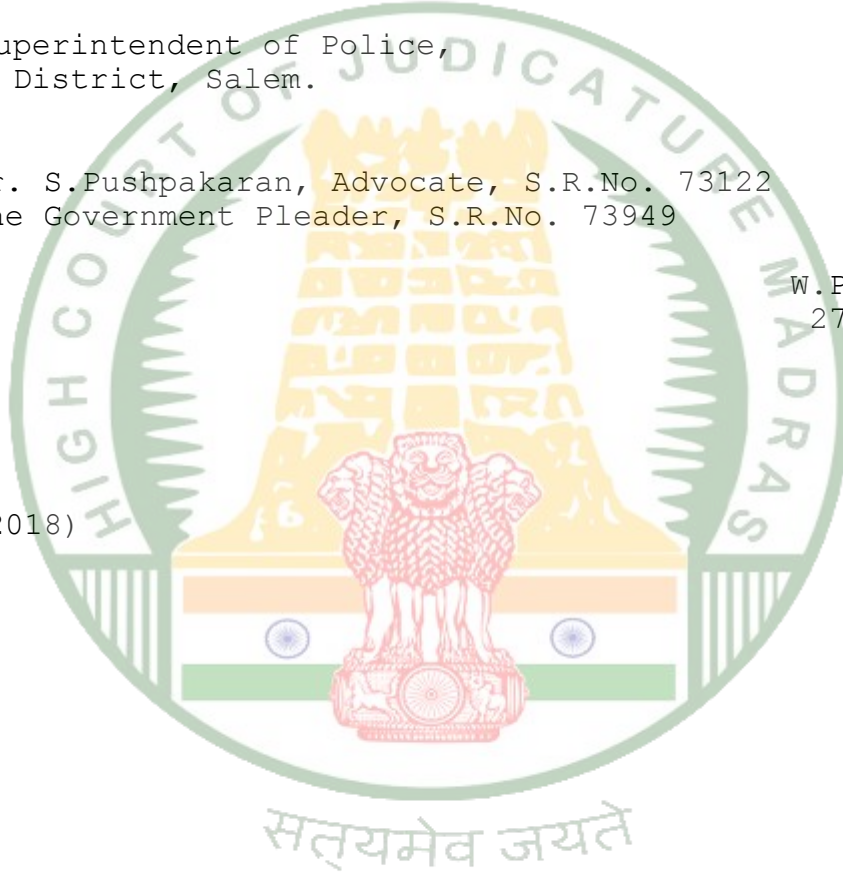
To

1. The State of Tamil Nadu,
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.

+lcc to Mr. S.Pushpakaran, Advocate, S.R.No. 73122
+lcc to the Government Pleader, S.R.No. 73949

W.P.No.27770 &
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VSNII (CO)
GN(27/11/2018)



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