



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2018

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P. (MD) No.18707 of 2014

U.Ramar

... Petitioner

**Vs.**

1. The District Collector,  
Virudhunagar District,  
Virudhunagar.

2. The District Backward Class Welfare Officer,  
Collectorate Campus,  
Virudhunagar District,  
Virudhunagar.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to permit the petitioner to work at Backward Classes Boys Hostel, Kattanoor as Cook or any other following vacancies still available at Backward Classes Boys Hostels, Virudhunagar District, Viz, Ulakudi, Tiruchuzhi and Narikudi or provide any other suitable or similar post according to the petitioners qualification within the time frame fixed by this Court.

For Petitioner : Mr.S.Bala Murugan

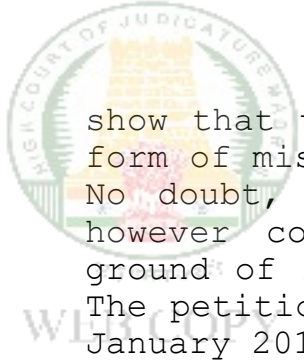
For Respondents : Mr.J.Gunaseelan Muthiah for R1 & R2  
Additional Government Pleader

**ORDER**

Heard the learned counsel on either side.

2.The petitioner was appointed as a Cook in the Backward Classes Hostel vide order dated 28.01.1999. The petitioner states that he joined duty and worked for two days, subsequently following the telegram from the first respondent, the petitioner was not allowed to discharge his duties.

3.The learned counsel for the petitioner would submit that even though he was appointed by a formal order, however no termination proceedings were issued. There is absolutely nothing on record to



show that the petitioner was guilty of any misrepresentation or any form of misconduct that disentitle him to continue in the said post. No doubt, the writ petitioner has a good case on merits, I am however constrained to dismiss the writ petition solely on the ground of laches. The cause of action dates back to January 1997. The petition came to be filed only in November 2014. We are now in January 2018.

4.The learned counsel appearing for the petitioner would contend that the petitioner has submitted representations periodically. A mere submission of successive representations over a period of time will not rescue the present writ petition from the fatal clutches of the doctrine of laches.

5.The writ petition stands dismissed. No costs.

Sd/-  
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

**To**

1. The District Collector,  
Virudhunagar District,  
Virudhunagar.
2. The District Backward Class Welfare Officer,  
Collectorate Campus,  
Virudhunagar District,  
Virudhunagar.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 41449  
+ 1 CC TO Mr.S.BALAMURUGAN, ADVOCATE IN SR No. 41110

TSG  
TE/JC/SAR-3 : 06/02/2018 : 2P/5C

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