



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.2391 of 2014

K.Govindan

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by it's Secretary to Government,
Home (Police) Department,
Fort St. George, Secretariat,
Chennai-9.

2.The Director General of Police,
Chennai - 4.

3.The Deputy Inspector General of Police,
Technical Services,
Police Telecommunication Branch,
Chennai - 4.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for records relating to the impugned order passed by the second respondent in his preceeding Na.Ka.No.31/11321/2013, dated 11.01.2014 and the quash the same as illegal and consequentially to direct the respondents to promote the petitioner as Inspector of Police retrospective at par with the similarly placed persons as that of the petitioner and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For petitioner	: Mr.Md. Imran for M/s.Ajmal Associates
For Respondents	: Mrs.S.Srimathy Special Government Pleader

O R D E R

By consent of both parties, the main writ petition is taken up for final disposal at the admission stage itself.



2. Heard Mr.Md. Imran for M/s.Ajmal Associates, learned Counsel for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

3. The writ petitioner was appointed as a Grade II Police Constable in 1965. He was promoted as a Grade I Police Constable in the year 1974. Later, he became a Head Constable. He also secured promotion as Sub Inspector of Police in the year 1983. He reached the age of superannuation on 28.02.2001 and retired from service. The grievances of the writ petitioner is that he was stagnating in the post of Sub Inspector of Police for more than 17 years. Be that as it may, he gave a representation on 14.11.2013 and the same was rejected by the impugned order dated 11.01.2014.

4. The learned counsel appearing for the writ petitioner would contend that his juniors were given promotion to the post of Inspector of Police but the writ petitioner was not given a similar promotion on the ground of having been over aged.

5. The learned Counsel had highlighted the case of one Kesavan, who was promoted as Inspector of Police just 4 days prior to his retirement. Contending that he has been discriminated against, this writ petition has been filed, seeking notional promotion retrospectively on par with similarly placed persons.

6. This writ petition is liable to be dismissed on the sole ground of laches. The petitioner retired way back in the year 2001. Even the representation was lodged about 13 years later, a stale claim is sought to be agitated. The writ petitioner in the evening of his life instead of peacefully spending his time wants to indulge in a wasteful litigation. There is absolutely no merit in this writ petition.

7. This Writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To:

- 1.The Secretary to Government, The State of Tamil Nadu,
Home (Police) Department, Fort St. George, Secretariat,
Chennai-9.
 - 2.The Director General of Police, Chennai - 4.
 - 3.The Deputy Inspector General of Police, Technical Services,
Police Telecommunication Branch, Chennai - 4.
- +One cc to M/s.Ajmal Associates, Advocate, SR.No.41782
+One cc to The Special Government Pleader, SR.No.41725

kmi

RL/6C/2P/MR/SAR4/31/1/2018

ORDER MADE IN

W.P. (MD) No.2391 of 2014