

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 05.02.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.30322 of 2008

D.Johnson Jayakumar

.. Petitioner

Versus

1.Tamil Nadu Electricity Board,
represented by its Secretary,
VIII Floor, K.R.R.Maalgai,
No.800, Anna Salai,
Chennai-600 002.

2.The Chief Internal Audit Officer,
Tamil Nadu Electricity Board,
K.R.R.Malgai,N.800,
Chennai 600 002.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to re-fix the seniority of the petitioner from 28.08.1975 and consequently pay him the monetary and pensionary benefits accruing from re-fixation of his seniority from 28.02.1975 onwards.

For Petitioner : Ms.V.Pushpa

For Respondents : Mr.P.R.Dhilip Kumar,
Standing Counsel

ORDER

The petitioner has come to this Court seeking a direction to the respondents to re-fix his seniority from 28.08.1975 and consequently pay him the monetary and pensionary benefits accruing from re-fixation.

2.It is not known how this writ petition has been entertained by this Court, for two reasons. Firstly, the petitioner, while serving as Junior Assistant in the office of the respondent board, should have approached the competent authorities to fix the seniority from 28.08.1975, which has not

been done. Secondly, atleast before reaching the age of superannuation, namely, on 31.05.2006, the matter should have been brought to the notice of the respondents or the writ petition should have been filed, which has also not been done. After the date of retirement, only with a huge and unexplained delay of two years and seven months from the date of retirement, this writ petition has been filed and therefore, the same is not maintainable due to passage of time and also for the huge and unexplained delay.

3. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1. Tamil Nadu Electricity Board,
represented by its Secretary,
VIII Floor, K.R.R. Maligai,
No.800, Anna Salai,
Chennai-600 002.

2. The Chief Internal Audit Officer,
Tamil Nadu Electricity Board,
K.R.R. Maligai, N.800,
Chennai 600 002.

+1cc to Ms.V.Pushpa, Advocate SR.No. 9585

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A.SK(22/02/2019)

सत्यमेव जयते

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