

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 14.06.2019

CORAM
THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.16475 of 2019

K.Velu

.. Petitioner

Vs.

1.The Secretary to Government,
Rural Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai-9

2.The Director of Rural Development,
Panagal Building,
Saidapet, Chennai-15

3.The District Collector,
Panchayat Development Section,
Vellore District,
Vellore -9

..Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus to direct the third respondent to pass orders on the petitioner's representation dated 07.12.2018 within the stipulated time as directed by this Court.

For Petitioner ... Mr.P.Wesley Isaac

For Respondents .. Mr.J.Pothiraj, Spl G.P.

ORDER

This writ petition has been filed seeking for issuance of a Mandamus to direct the third respondent to pass orders on the petitioner's representation dated 07.12.2018 within the stipulated time as directed by this Court.

2. The case of the petitioner is that his name ought to have been included in the panel for promotion to the post of Deputy Block Development Officer. The crucial date of the panel was 01.03.2003. According to the petitioner, he has completed the required number of years of service as Extension Officer, but despite his qualification and eligibility, his name was not included in the panel. Therefore, the petitioner filed O.A.No.1761 of 2003 before the then Tamilnadu Administrative

Tribunal and the Tribunal vide its order dated 13.05.2003, disposed of the original application by directing the respondents therein to consider the case for inclusion of the petitioner's name in the panel of the year 2003.

3. As against the order passed by the learned Tribunal, the respondents filed WP.No.16525 of 2003 before this Court, and this Court vide order dated 18.02.2008, allowed the said writ petition and set aside the order passed by the learned Tribunal except making some observations.

4. The petitioner appears to have submitted a representation after 10 years from the date of the order passed by this Court i.e., on 07.12.2018, seeking to consider his case for promotion by including his name in the panel of the year 2003-2004. Since his representation has not been disposed of, the petitioner is before this Court seeking for issuance of writ of mandamus.

5. From the above averments, it could be seen that the issue of his promotion was relatable to the year 2003-2004. The petitioner has casually approached this Court in the guise of seeking to dispose of the representation said to have been made on 07.12.2018 by attempting to revive a stale issue of the year 2003-2004. Such an attempt by the petitioner to have his stale claim revived has to be rejected out right. The writ petition is hit by severe laches of more than 16 years from the date of cause of action as arose. In the entire affidavit, the petitioner has not attempted to explain as to why there was such a long delay in making his representation in the year 2018. In the absence of any kind of explanation, this Court cannot entertain the writ petition even for a second.

6. For the above said reasons, this writ petition is not maintainable and hence, the same is dismissed. No costs.

सत्यमेव जयते

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

dn

To

1.The Secretary to Government,
Rural Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai-9

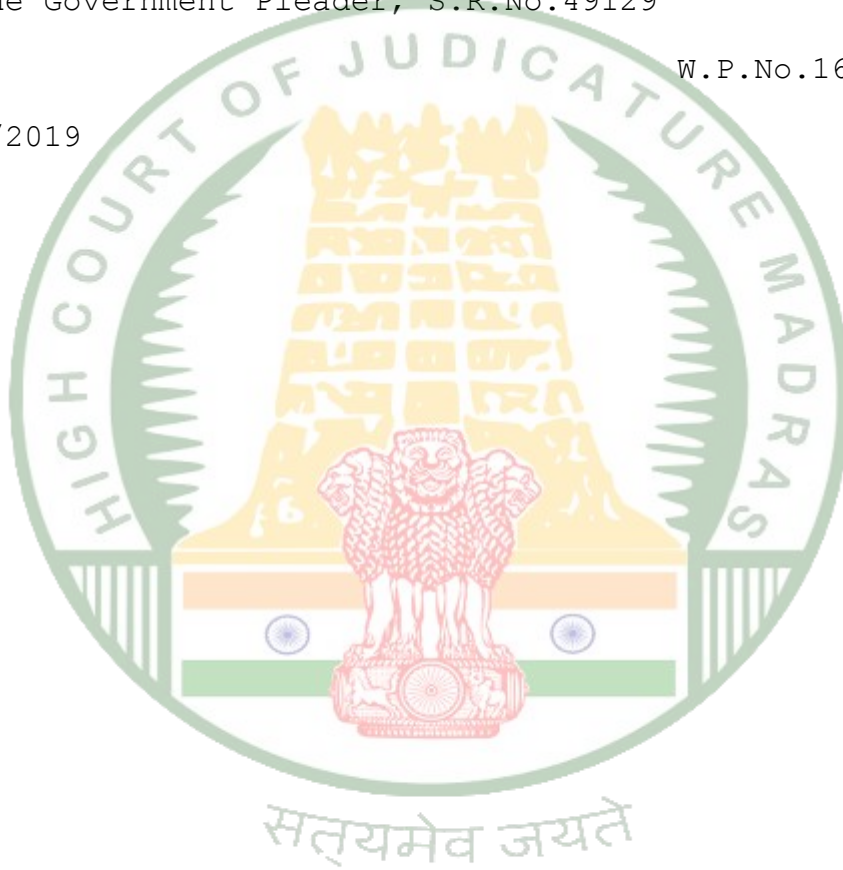
2.The Director of Rural Development,
Panagal Building,
Saidapet,
Chennai-15

3.The District Collector,
Panchayat Development Section,
Vellore District,
Vellore -9

+lcc to Mr.P.Wesley Isaac, Advocate, S.R.No.48487
+lcc to the Government Pleader, S.R.No.49129

W.P.No.16475 of 2019

rrs 12/07/2019



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