

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2019

CORAM

THE HONOURABLE MR. JUSTICE **V.PARTHIBAN**

W.P.No.16733 of 2019

P.Thangaraj

.. Petitioner

Vs.

1.The Director/Special Commissioner,
Survey and Settlement Directorate,
Survey House Campus,
Chepauk, Chennai- 600 005.

2.The Additional Director,
Survey and Settlement Directorate,
Survey House Campus,
Chepauk, Chennai- 600 005.

3.The Assistant Director,
District Land and Survey Department,
Namakkal District.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 25.01.2019 requesting for his reinstatement in service and permitted retirement from service with all consequential benefits within a stipulated time.

For Petitioner .. Mr.P.Ganesan

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

ORDER

This petitioner has approached this Court seeking for a direction to the respondents to consider his representation dated 25.01.2019.

2. According to the petitioner, he was dismissed from service by order dated 10.12.2004 on the basis of disciplinary action initiated against him. An appeal was filed before the second respondent on 21.04.2005 and the same also came to be rejected. After a period of 13 years, the petitioner appears to have made a representation to the respondents on 03.08.2018. An another representation was made on 25.01.2019, to consider his claim for reinstatement in service. From the above, it could be seen that the petitioner is attempting to revive an issue which was long settled as early as in 2005. An Appeal preferred by the petitioner against the dismissal order of the third respondent dated 10.12.2004, came to be rejected by the appellate authority. Nothing worthwhile has been mentioned in the affidavit as to what happened during the periods 2005 to 2018 & 2019. It appears that it is a desperate attempt on the part of the petitioner to have the extremely stale claim revived by seeking for seemingly innocuous prayer. If this writ petition is entertained, it would mean that an old

claim of the year 2005 being revived without any contemporaneous cause of action. Such course would mean condonation of delay of 14 years without any cause of action being disclosed in the writ petition. Therefore, this Court is of the view that the writ petition is hopelessly hit by severe laches and cannot be entertained even for a second.

3. Hence, the writ petition stands dismissed as not maintainable.

No costs.

17.06.2019

Index:Yes/No

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To

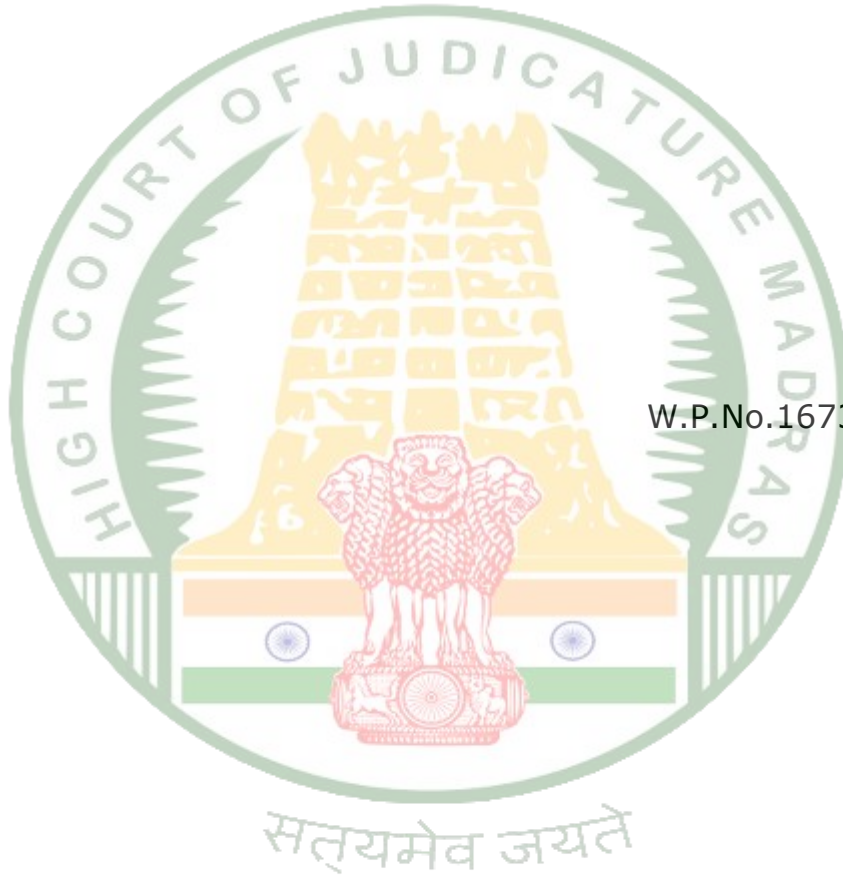
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V.PARTHIBAN, J.

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