

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2019

CORUM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Appeal No.2525 of 2018

T.NANJAN

....APPELLANT

Vs

THE DISTRICT COLLECTOR
NILGIRIS DISTRICT, UDHAGAMANDALAM

....RESPONDENT

APPEAL filed under Clause 15 of the Letters Patent to set aside the order passed in WP No.27441/2017 dt.26.10.2017 by allowing the present Writ Appeal.

Prayer in WP.No.27441/2017 : Writ Petition praying to directing the Respondent to consider the Petitioner's representation dated 15/09/2017.

For Appellant : Mr.R.Jayaprakash
For Respondent : Mrs.A.Sri Jayanthi,
Special Govt. Pleader

JUDGMENT

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.,)

The Writ Petition filed by the appellant for giving promotion as Deputy Tahsildar by including his name in the relevant panel was dismissed by the learned single Judge on the ground of delay. The said order is under challenge at the instance of the unsuccessful Writ Petitioner.

2. The counter affidavit filed by the Collector, Nilgiris would indicate that the appellant was not qualified for inclusion in the panel on account of his non-completion of the course in Firka Revenue Inspector. Similarly he completed his maintenance test only on 29.12.2010.

3. Even though the petitioner has submitted representations even during the currency of service, the fact remains that the Writ Petition itself was filed only after 3 ½ years of his retirement. There is no question of considering the case of promotion after attaining the age of superannuation. If the appellant was aggrieved on account of the inaction on the part of the respondent in taking a decision in the matter, he should have approached the Court either during the currency of his employment or at least immediately after retirement. In this case the representation itself was given only after 3 ½ years of his retirement.

4. We are therefore of the view that the learned single Judge was justified in dismissing the Writ Petition on the ground of laches.

5. We dismiss the intra Court appeal. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

THE DISTRICT COLLECTOR
NILGIRIS DISTRICT UDHAGAMANDALAM

+1 cc to M/s.R.Jayaprakash, Advocate Sr.No. 62680
+1cc to The Government Pleader Sr.No.62779

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AKM/ 28.08.19/ 2P-4C /