

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.09.2020

CORAM:

THE HON'BLE MR. JUSTICE V.PARTHIBAN

WP No.11832 of 2020

Mr.Uthuman Mohideen

.. Petitioner

Vs

1. The Engineer-in-Chief and
Chief Engineer (General),
Public Works Department, Chempauk,
Chennai – 600 005.

2. The Superintending Engineer,
Public Works Department,
Building Construction and
Maintenance Circle (Electrical),
Tirunelveli.

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1st and 2nd respondents refix the seniority for taken into account of Account Test passed by the petitioner during the year of 11/1982 and consequently directing to 1 and 2nd respondents to pay other service and monetary benefits within a time fixed by this Hon'ble Court.

For Petitioner : Mr.P.Manikannan

For Respondents : Mr.J.Ramesh

Additional Government Pleader.

ORDER

This matter is taken up through Web hearing.

2. The writ petition has been filed seeking for the following prayer:

“for issuance of Writ of Mandamus, directing the 1st and 2nd respondents refix the seniority for taken into account of Account Test passed by the petitioner during the year of 11/1982 and consequently directing to 1 and 2nd respondents to pay other service and monetary benefits within a time fixed by this Hon'ble Court.”

3. The petitioner was appointed as Junior Assistant on 15.12.1977 and claims to have passed the Account Test Examination conducted by the respondents on November 1982. According to the petitioner, despite his passing the Account Test, he was assigned lower seniority and placed below his juniors. The petitioner over a period of time during his service was also promoted as Superintendent in March 2007 and superannuated from service on 30.04.2007.

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4. The grievance of the petitioner is that if only his seniority had been properly fixed in 1982, he would have been promoted as Assistant in 1984 and would have been further promoted to the next higher post as Superintendent much earlier. Since his grievance had not been

addressed, all these years, he is before this Court, after a period of 38 years.

5. From the above narrative, this Court is unable to appreciate as to how such a writ petition could be ever entertained at all, at this distance of time. The petitioner as per the affidavit is 70 years old and is extraordinarily casual in approaching this Court after more than three decades, for the above said grievances relating to the year 1982.

6. The writ petition is completely misconceived and cannot be entertained even for a second. The affidavit also does not disclose any facts as to why the petitioner has approached this Court in 2020, after a period of 38 years and also well after his retirement in 2007.

7. Entire writ petition appears to be speculative in nature, which has to be rejected outright without an iota of consideration. Hence, the writ petition is dismissed. No Costs.

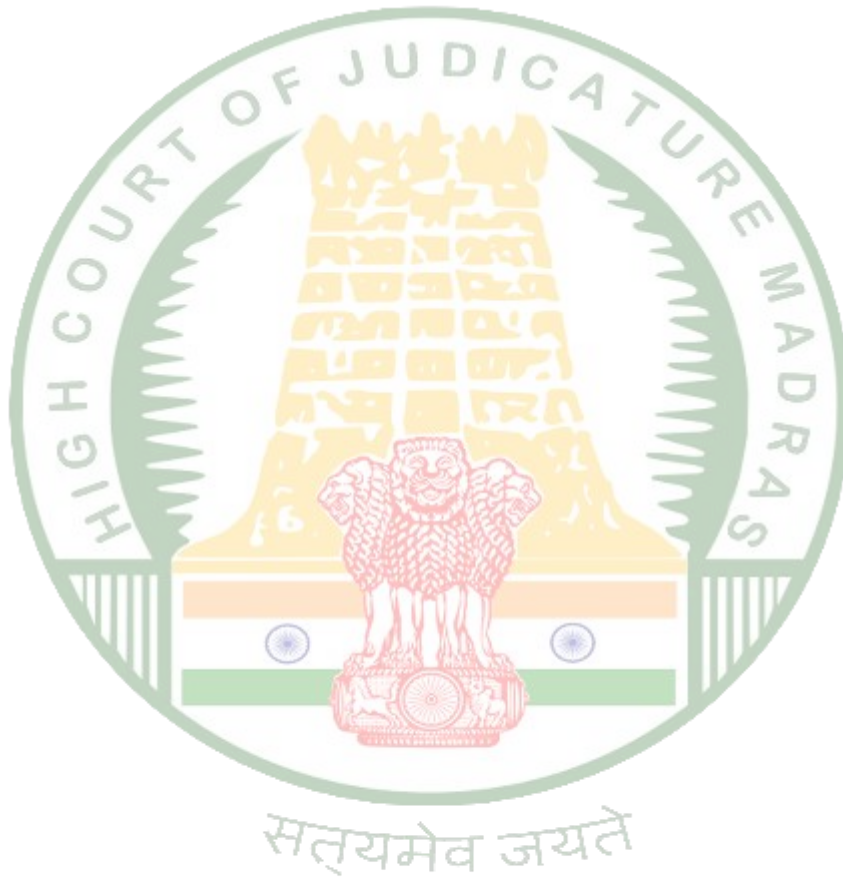
03.09.2020

Speaking/Non-speaking order

Index: Yes/No

Internet: Yes

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V.PARTHIBAN, J.,

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To

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