



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.11.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD)No.11551 of 2014

G.Balamurugan

... Petitioner

Vs

1. The Commissioner of Revenue Administration,
Chepauk, Chennai-600 005.

2. The District Collector,
Virudhunagar District,
Virudhunagar.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents herein to include the petitioner's name in 2001 year panel of Assistants in Virudhunagar District based on the petitioner's representation dated 25.08.2012 and 14.06.2014.

For Petitioner : Mr.D.Srinivasaragavan

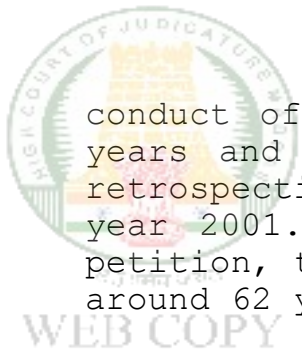
For Respondents : Mr.D.Muruganandham
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to include the name of the writ petitioner in the panel of Assistants for the year 2001 based on the representations dated 25.08.2012.

2. The prayer in the writ petition is self speaking one. Panel was prepared in the year 2001 for promotion and the writ petitioner submitted a representation on 25.08.2012. Thus the writ petitioner has approached the authorities for inclusion of his name in the panel to the promotion of Assistants in the year 2001 after a lapse of about 11 years from the date of panel.

3. The learned counsel appearing on behalf of the writ petitioner states that Juniors to the writ petitioner were promoted and his case was not considered without any valid reason. Even presuming that the writ petitioner is eligible for promotion, he should have approached the competent authority during the relevant point of time, when the panel was published. Contrarily, he allowed the panel to go on in the year 2001 and submitted a representation only on 25.08.2012 after a lapse of 11 years. This being the



conduct of the writ petitioner, he slept over his right for long years and therefore, he cannot approach the Court of law seeking retrospective promotion by including his name in the panel of the year 2001. This apart, even at the time of filing of the writ petition, the petitioner was aged about 56 years and now he would be around 62 years.

4. This being the factum, the claim of the writ petitioner for retrospective promotion in the year 2001, cannot be considered at this length of time and accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

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Sub Assistant Registrar(CS)

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Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Commissioner of Revenue Administration,
Chepauk, Chennai-600 005.
2. The District Collector,
Virudhunagar District,
Virudhunagar.

+1 CC to Mr.D.SRINIVASARAGAVAN, Advocate SR-21541
+1 CC to the SPL GP SR-21582.

W.P. (MD)No.11551 of 2014
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