



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

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

W.P. (MD) No.1934 of 2014

Mohammed Sultan

... Petitioner

Vs.

1.The Principal Secretary to Government,
Rural Development and Panchayat Department,
Secretariat,
St.George Fort,
Chennai.

2.The District Collector,
Pudukkottai District,
Pudukkottai.

3.The President,
Avudaiyarkoil Panchayat Union,
Pudukkottai District.

... Respondents

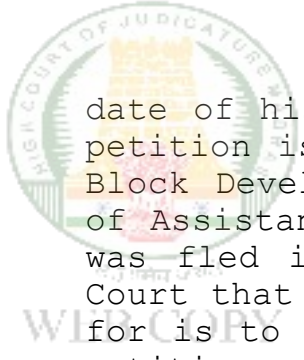
PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to grant selection grade to the petitioner in the post of Assistant as on 26.09.2007 and consequently direct the respondents 1 and 2 to include the petitioner in the panel of assistant for promotion to the post of Deputy Block Development Officer of the year 2006 and give notional promotion to the petitioner as Deputy Block Development Officer from the date of promotion of the petitioner's junior.

For Petitioner : Mr.K.Samidurai
For Respondents : Mr.P.Mahendran
(R1 and R2) Addl.Govt.Pleader
For Respondent-3 : No Appearance

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to grant selection grade to the petitioner in the post of Assistant as on 26.09.2007 and consequently, direct the respondents 1 and 2 to include the petitioner in the panel of assistant for promotion to the post of Deputy Block Development Officer of the year 2006 and give notional promotion to the petitioner, as Deputy Block Development Officer.

2. Curiously, the writ petitioner filed the present writ petition at the age of 60 years, after a lapse of 2 years from the



date of his retirement. The relief sought for in the present writ petition is to grant retrospective promotion to the post of Deputy Block Development Officer and to grant selection grade in the post of Assistant with effect from 26.09.2007. The writ petition itself was filed in the year 2014. It is brought to the notice of this Court that the writ petitioner had passed away and the relief sought for is to grant retrospective promotion. Even on merits, the writ petitioner has not established that he had approached the Court within a reasonable period of time. Thus, the writ petition itself is hit by the principles of laches. However, the writ petitioner is no more and under these circumstances, no further adjudication is required and accordingly, the writ petition stands closed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MPK

To

1.The Principal Secretary to Government,
Rural Development and Panchayat Department,
Secretariat,
St.George Fort,
Chennai.

2.The District Collector,
Pudukkottai District,
Pudukkottai.

3.The President,
Avudaiyarkoil Panchayat Union,
Pudukkottai District.

+1 CC to M/s.SPL GP (SR-21154[F] dated 04/11/2020)

W.P. (MD)No.1934 of 2014
02.11.2020

BK (CO)

KB(10.11.2020) 2P 5C