



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.25569 of 2021

Nagarajan

.. Petitioner

Vs

1. The District Manager,
TASMAC Limited,
Thiruvannamalai.

2. The Senior Regional Manager,
TASMAC Limited,
Salem - 6.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents either jointly or severally to consider and pass appropriate order on the representation dated 24.02.2020 made by the petitioner in accordance with law.

For Petitioner : Mr.P.Ganapathy

For Respondents : Mr.N.Damodaran
Standing Counsel for TASMAC

O R D E R

This writ petition has been filed to issue a writ of Mandamus to direct the respondents either jointly or severally to consider and pass appropriate order on the representation dated 24.02.2020 made by the petitioner in accordance with law.

2. The case of the writ petitioner was that he was appointed as salesman and worked continuously from 05.01.2004. On 22.02.2014, according to the petitioner, he met with an accident and sustained grievous injuries and was hospitalised for treatment. He claims to have been treated in the hospital for a period of 10 months and was discharged from the hospital on 25.11.2014. Thereafter, the petitioner had been given fitness certificate and was declared fit to rejoin on 15.12.2014.



3. According to the petitioner, on 15.12.2014, he reported for work and subsequently, several oral representations appeared to have been made to allow him to join duty. Finally, a written representation was submitted on 24.02.2020 to restore him in service and as there was no response, the present writ petition has been filed.

4. From the above factual narrative, it could be seen that the petitioner appeared to have abandoned the service in 2014 for some reason and by submitting a representation in February 2020, the present writ petition has been filed for issue of Writ of Mandamus. Nothing has been stated in the affidavit as to what happened for all these years from 2014 and why no written representation was given earlier against the restoration of service.

5. This Court is unable to countenance the case of the petitioner both in law and on fact. The cause of action has arisen in 2014 and the writ petition is filed after a period of 7 years without an iota of explanation in the entire affidavit. The case is therefore, hopelessly time barred and this Court cannot entertain such a stale claim at this distance of time.

6. For the above said reasons, the Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Manager,
TASMAC Limited,
Thiruvannamalai.
2. The Senior Regional Manager,
TASMAC Limited,
Salem - 6.

W.P.No.25569 of 2021

NRL (CO)
SU (15/12/2021)